CAV: 06-13-2023 07:01:06 EDT

MARTINSVILLE CIRCUIT Case No.:CR19000009-00

Commonwealth of VA vs. HILL, BRIAN DAVID

TABLE OF CONTENTS

Document Index	Date Filed	Page
Manuscripts:		
GD PAPERWORK	01/09/2019	1 - 59
CCRE (number only)	01/09/2019	60 - 60
(SEALED) EVALUATION REPORT - PSYCHOLOGICAL EVAL-GDC	01/09/2019	61 - 67
MOTION - TO ADMIT EVIDENCE	01/23/2019	68 - 72
RESPONSE - MOT FOR RECIPROCAL DISCOVE	02/06/2019	73 - 75
ORDER - DISCOVERY	02/06/2019	76 - 78
MOTION - FILE EVIDENCE BEFORE TRIAL	04/08/2019	79 - 93
MOTION - EARLIER TRIAL DATE	05/29/2019	94 - 98
MOTION - MOTION FOR BOND	05/31/2019	99 - 102
BOND	06/04/2019	103 - 105
OTHER - RELEASE ORDER	06/04/2019	106 - 106
ORDER - AGREED ORDER FOR BOND	06/04/2019	107 - 108
OTHER - CONT CUST-07/15/19@9AM	06/04/2019	109 - 109
SCHEDULING ORDER - CA OF REQ JURY-SET 8/31@9A	07/15/2019	110 - 110
NOTICE - TO APPEAR 08/30/19@9AM	07/15/2019	111 - 111
ORDER - DISCOVERY	07/15/2019	112 - 114
MOTION - INSANITY DEF-FILED BY DEF	07/19/2019	115 - 125
MOTION - REQ SUB COUNSEL-FILED BY D	07/19/2019	126 - 134
MOTION - DISCOVERY	07/26/2019	135 - 157
MOTION - MOT TO SUPPRESS EVIDENCE	07/26/2019	158 - 210
MOTION - PUB. DEFENDER WITHDRAW	07/29/2019	211 - 213
ORDER - ATTY L.MCGARRY WITHDRAWN	07/30/2019	214 - 215
ORDER - APPOINTED ATTY MATT CLARK	08/01/2019	216 - 216
NOTICE - PRIOR CONVICTIONS	08/06/2019	217 - 223
MOTION - CONTINUE 8-30-19	08/19/2019	224 - 225
CONTINUANCE ORDER - CD-TBS ON 8/27	08/20/2019	226 - 227
NOTICE - APPEAR 08/27/19@9AM	08/21/2019	228 - 228
CONTINUANCE ORDER - SET 12-2-19 @ 9AM	08/27/2019	229 - 229
NOTICE - APPEAR 12-2-19 @ 9AM	08/27/2019	230 - 230
BOND ORDER - AMENDED BOND ORDER	09/11/2019	231 - 232
MOTION - FAX MOT TO DISMISS	11/04/2019	233 - 251
MOTION - FAX TO WITHDRAW APPEAL	11/12/2019	252 - 263
ORDER IN MISDEMEANOR OR TRAFFIC INFRACTION PROCEEDING	11/15/2019	264 - 264
PAYMENT AGREEMENT PLAN	11/15/2019	265 - 266

OTHER - COPY DISPOSITION NOTICE	11/15/2019	267 - 267
MOTION - VACATE FRAUD BEGOTTEN JUDG	11/25/2019	268 - 294
ORDER - VACATE FRAUD JUDG-DENIED	11/25/2019	295 - 295
APPEAL NOTICE - NOTICE OF APPEAL	11/27/2019	296 - 298
APPEAL NOTICE - NOTICE OF APPEAL	11/27/2019	299 - 301
LETTER - FROM DEFENDANT TO CLERK	02/26/2020	302 - 309
LETTER - RESPONSE-CLERK SUPREME CT	03/06/2020	310 - 337
LETTER - PSYCHOLOGICAL EVALUATION	03/09/2020	338 - 353
MOTION - TO PROCEED PRO SE ON APPLS	03/16/2020	354 - 355
MOTION - WAIVING LEGAL FEES	03/16/2020	356 - 390
AFFIDAVIT - AFF/DECLAR. BRIAN HILL	03/25/2020	391 - 401
AFFIDAVIT - AFF/DECLAR. ROBERTA HILL	03/25/2020	402 - 405
LETTER - LETTER TO CLERK	03/25/2020	406 - 414
LETTER - FROM DEF W/ATTACHMENTS	03/25/2020	415 - 438
NOTICE - NOTICE OF LAWSUIT	03/26/2020	439 - 464
LETTER - FROM CLERK TO DEFENDANT	03/26/2020	465 - 465
LETTER - LETTER TO CLERK	03/30/2020	466 - 478
MOTION - TO DISCHARGE LEGAL FEES	03/31/2020	479 - 512
WRIT OF MANDAMUS	04/02/2020	513 - 543
OTHER - APLC PROCEED IN FP-US DIST	04/02/2020	544 - 548
ORDER - DENIED MOT-DISCHARGE F/C	04/02/2020	549 - 549
APPEAL NOTICE - MCC/US DIST COURT	04/07/2020	550 - 565
MOTION - TO DISQUALIFY GCG	04/08/2020	566 - 578
CORRESPONDENCE	04/08/2020	579 - 768
ORDER - DENIED DEF WRIT ERROR CV	04/10/2020	769 - 769
ORDER - DENIED MOT WAIVE FEES	04/10/2020	770 - 770
ORDER - DENIED MOT DISQUALIFY GCG	04/10/2020	771 - 771
LETTER - FROM DEF TO CLERK-SERVICE	04/14/2020	772 - 775
APPEAL NOTICE - RE: MOT TO DISQUALIFY	04/15/2020	776 - 784
COURT OF APPEALS OF VA ORDERS - APPOINT J I JONES-COUNSEL	04/20/2020	785 - 786
COURT OF APPEALS OF VA ORDERS - APPOINT J I JONES-COUNSEL	04/20/2020	787 - 788
APPEAL NOTICE	04/21/2020	789 - 793
LETTER - DEF TO CLK-NOT RECV COPY O	04/23/2020	794 - 795
COURT OF APPEALS OF VA ORDERS - GRANTED LEAVE REPLACE N/A	10/28/2020	796 - 796
NOTICE - OF FRAUD UPON THE CT-DEF	11/04/2020	797 - 828
NOTICE - OF FRAUD UPON THE CT-DEF	11/05/2020	829 - 860
NOTICE - 2ND OF FRAUD UPON THE CT	11/09/2020	861 - 909
APPEAL NOTICE - OF APPEAL (2)	11/12/2020	910 - 914
NOTICE - 2ND OF FRAUD UPON THE CT	11/12/2020	915 - 962

AFFIDAVIT - AFFIDAVIT OF SERVICE	11/13/2020	963 - 969
AFFIDAVIT - AFFIDAVIT OF SERVICE	11/13/2020	970 - 976
LETTER - AS TO DOC NOTICE OF FRAUD	11/16/2020	977 - 982
APPOINTMENT OF COUNSEL - PER CT APPEALS-JJONES	12/14/2020	983 - 983
COURT OF APPEALS OF VA ORDERS - DENIED PETITION FOR APPEAL	01/11/2021	984 - 986
OTHER - REQUEST FOR TRANSCRIPTS	03/22/2021	987 - 996
LETTER - TO BDH-RECORDS SENT TO C/A	03/22/2021	997 - 997
MOTION - EVIDENCE	01/20/2022	998 - 1206
MEMORANDUM - EVIDENCE IN SUPPORT OF MOT	01/21/2022	1207 - 1226
MEMORANDUM - AMENDED MEMORANDUM	01/24/2022	1227 - 1278
MEMORANDUM - LAST MINUTE EVIDENCE	01/31/2022	1279 - 1340
MEMORANDUM - NEW MEDICAL EVIDENCE	02/08/2022	1341 - 1503
LETTER - LETTER TO CLERK	02/09/2022	1504 - 1518
ORDER - PETITION DENIED	02/10/2022	1519 - 1519
APPEAL NOTICE - NOTICE OF APPEAL	02/11/2022	1520 - 1523
AMENDMENT - AMENDED EVIDENCE	02/14/2022	1524 - 1575
LETTER - LETTER TO JUDGE GCG	02/14/2022	1576 - 1577
OTHER - LAST MINUTE EVIDENCE	02/14/2022	1578 - 1639
MOTION - FOR JUDGMENT OF ACQUITTAL	02/14/2022	1640 - 1848
MOTION - JUDGMENT OF ACQUITTAL CORR	02/14/2022	1849 - 2057
OTHER - EMAIL =ROBERTA HILL(BHILL)	02/14/2022	0
OTHER - NEW MEDICAL EVIDENCE	02/17/2022	2058 - 2220
LETTER - B. HILL TO CLERK FAX	02/22/2022	2221 - 2227
LETTER - B. HILL TO CLERK EMAIL	02/22/2022	2228 - 2234
ORDER - DENY MOTION	02/22/2022	2235 - 2235
APPEAL NOTICE - APPEAL-CAV 02222022 1ST	02/23/2022	2236 - 2242
APPEAL NOTICE - APPEAL-CAV 02222022 2ND	02/23/2022	2243 - 2249
APPEAL NOTICE - FAX-NOT OF APPEAL-2/10/22	02/23/2022	2250 - 2257
APPEAL NOTICE - FAX-NOT OF APPEAL-2/22/22	02/23/2022	2258 - 2264
OTHER - APPL FED WRIT HAB CORPUS	06/21/2022	2265 - 2280
OTHER - ADDITIONAL GROUNDS	06/21/2022	2281 - 2300
LETTER - LETTER TO JUDGE 6.18.22	06/21/2022	2301 - 2331
MOTION - PROCEED WOUT PYMT OF FEES	06/21/2022	2332 - 2333
LETTER - LTR EDITED 6.21.2022	06/22/2022	2334 - 2342
MOTION - REQ CA RESPOND-M/J W/EMAIL	08/29/2022	2343 - 2351
OTHER - EMAIL-RECORD SUBMITTED	08/31/2022	2352 - 2352
MOTION - JUDGMT OR ACQUITTAL OR TRL	08/31/2022	2353 - 2746
OTHER - LITIGATION HOLD LETTER	08/31/2022	2747 - 2758
MOTION - REQUEST CA RESPOND TO MJ	09/06/2022	2759 - 2764
MOTION - MJ NEW EVID J CASSELL	09/06/2022	2765 - 3488

FINAL ORDER - DENY MOTION LACK JURISDICT	09/07/2022	3489 - 3489
ORDER - DEN MOT COMM RESPOND M/J	09/13/2022	3490 - 3491
AFFIDAVIT - INDIGENCE	09/19/2022	3492 - 3493
NOTICE - APPEAL (1)	09/19/2022	3494 - 3514
AFFIDAVIT - INDIGENCE	09/19/2022	3515 - 3516
NOTICE - APPEAL (2)	09/19/2022	3517 - 3541
LETTER - COURT OF APPEALS-TRANS REC	11/30/2022	3542 - 3542
MOTION - MOTION CIRCUIT CT 1-26-23	01/26/2023	3543 - 3649
OTHER - EVIDENCE EXHIBIT 1/26/2023	01/26/2023	3650 - 3986
OTHER - EVID DECLARATION 1/26/2023	01/26/2023	3987 - 4008
LETTER - LETTER-CLERK-M_VA 1-27-23	01/27/2023	4009 - 4011
MOTION - MOTIONRECORDS-FEB 3, 23 2N	02/03/2023	4012 - 4035
LETTER - LETTER-CLERK-M_VA-2-3-2023	02/06/2023	4036 - 4037
MOTION - MOTIONRECORDS-FEB 3, 2023	02/06/2023	4038 - 4061
LETTER - LETTER-CLERK-M_VA-2-3-2023	02/06/2023	4062 - 4063
REQUEST - FOIA-ADDENDUM 2-12-23	02/13/2023	4064 - 4071
OTHER - DECLARATION-SUPPORT-FOIA	02/13/2023	4072 - 4080
OTHER - COURT-ORDERS-FOIA	02/13/2023	4081 - 4088
OTHER - EMAIL-FWD:STATUS OF FOIA	02/13/2023	4089 - 4092
ANSWER - BRIAN HILL-FOIA REQUEST	02/13/2023	4093 - 4095
OTHER - EMAI-RE: STATUS OF FOIA	02/13/2023	4096 - 4099
OTHER - DECLARATION-SCOTT ALBRECHT	02/13/2023	4100 - 4114
OTHER - TABLE OF CONTENTS-ADD-APPL	02/14/2023	4115 - 4118
OTHER - DIGITAL APPEALLATE REC-SUB	02/14/2023	4119 - 4119
ORDER - DENIED MOT SET ASIDE CONV	02/14/2023	4120 - 4120
OTHER - COPY EMAIL	02/14/2023	4121 - 4122
OTHER - COPY EMAIL -HILL	02/15/2023	4123 - 4130
OTHER - STATUSLETTER-JUDGE 2-14-23	02/15/2023	4131 - 4144
OTHER - SHORTSUMMARY-2-14-2023	02/15/2023	4145 - 4147
MOTION FOR RECONSIDERATION - MOTION-RECONSIDERATION2-17	02/17/2023	4148 - 4206
OTHER - RECONSIDERATION-EXHIBITS	02/17/2023	4207 - 4254
ORDER - MOT TO RECONSIDER-DENIED	02/17/2023	4255 - 4255
COURT OF APPEALS OF VA ORDERS - WRIT-CERT-DENIED ALL SUBMT	02/17/2023	4256 - 4256
OTHER - COPY EMAIL	02/20/2023	4257 - 4259
OTHER - DECLARATION-SCOTT ALBRECHT	02/21/2023	4260 - 4274
OTHER - STAFF DIRECTORY -MARTINSVI	02/21/2023	4275 - 4276
ORDER - DEF MOT-RECONSIDERATION DN	02/21/2023	4277 - 4277
NOTICE - 1-NOTICE-OF-APPEAL-2/21/23	02/21/2023	4278 - 4291
NOTICE - 2-NOTICE-OF-APPEAL 2/21/23	02/21/2023	4292 - 4306

AFFIDAVIT - 2-AFF-INDIGENCY-2-21-23	02/21/2023	4307 - 4308
AFFIDAVIT - AFF-INDIGENCY-2-21-23	02/21/2023	4309 - 4310
AFFIDAVIT - (2)AFF-INDIGENCY-2-21-23	02/21/2023	4311 - 4312
NOTICE - 3 NOTICE-OF-APPEAL2-21-23	02/22/2023	4313 - 4325
AFFIDAVIT - 3-AFF-INDEGENCY-2-21-23	02/22/2023	4326 - 4327

I, Jean P. Nunn, Clerk of the Martinsville Circuit, certify that the contents of the record listed in the table of contents constitute the true and complete record, except for exhibits whose omission are noted in the table of contents, and are hereby transmitted to the Court of Appeals on June 12, 2023.

Received On 9/1/2022 By User: apritchett Circuit Court Clerk's Office Martinsville, VA Ashby R. Pritchett, Clerk

LITIGATION HOLD LETTER TO TRUIST BANK, SUNTRUST BANK, FDIC, AND ANY OTHER BANK RETAINING SPECIFIC RECORDS MATERIAL TO "THE CHIMNEY SWEEP" AND "MR. JACODY CASSELL"

(1) RE: Brian David Hill v. Commonwealth of Virginia, U.S. District Court, Western District of Virginia, case no. 7:22-cv-00336;
(2) RE: Brian David Hill v. United States of America, U.S. District Court, Middle District of North Carolina, case no. 1:22-CV-00074, 1:13-cr-435-1;
(3) RE: Commonwealth of Virginia v. Brian David Hill, Circuit Court for the City of Martinsville, Commonwealth of Virginia, case no. CR19000009-00

SATURDAY, JULY 23, 2022

ATTN: Aaron M. Ziglar Dispute Resolution Specialist Office of the Attorney General 202 North 9th Street Richmond, Virginia 23219 Phone: (804) 786-1244 FAX: (804) 225-4378 AZiglar@oag.state.va.us	**ATTN: Eric H. Ferguson, Esq.** RHODES & FERGUSON ATTORNEYS AT LAW 305 S. Main Street Rocky Mount, VA 24151 eferguson@fergusonlaw.net Phone: 540-483-5234 FAX: 540-483-5763
ATTN: Truist Bank 214 N Tryon St Charlotte, NC 28202	**ATTN: Federal Deposit Insurance Corporation** 550 17th Street, N.W. Washington, D.C. 20429
ATTN: SUNTRUST BANK PO BOX 305183 NASHVILLE, TN 37230-5183	**All Federal and State Courts listed herein**

To Whom it may Concern,

I would like to respectfully request a litigation hold of evidence and records with TRUIST Bank, SunTrust Bank, and the bank which Mr. JaCody Cassell (owner) or any authorized agent for the business named "THE CHIMNEY SWEEP" cashed in or

withdrawn from a $300 check from Roberta R. Hill, check dated October 5, 2017.

This is the business which the records would show that somebody from this company had cashed in the check or withdrawn the money from the check:

The Chimney Sweep
1590 Blue Bend Road
Rocky Mount, Virginia 24151
(540) 483-2468

This is a litigation hold letter. This letter will be filed in two federal cases and one state case. So this litigation hold letter is being filed with the banks and with the FDIC by Brian David Hill by and through Roberta R. Hill (rbhill67@comcast.net) as Petitioner Brian David Hill cannot use the internet and must use a filing representative to file and communicate electronically on behalf of Brian David Hill over this matter.

The litigation hold letter has attached a check stub record of $300 being paid for to a business entity known as “THE CHIMNEY SWEEP”, the check dated October 5, 2017, and was paid from the bank account of Roberta Ruth Hill on October 6, 2017 (when the money had left her account) at the time while under SunTrust bank, now is known as TRUIST. So the obtained record received on July 23, 2022 was given to Brian Hill by Roberta Hill as evidence. The bank should also be aware of who cashed the check in, or can forward this LITIGATION HOLD LETTER to the bank which Mr. JaCody Cassell had cashed the $300 check from Roberta Ruth Hill to pay for a service from this chimney company in Rocky Mount, Virginia. A photograph of the $300 check stub with the check number, also referenced in the bank statement of Roberta Hill's bank account, will be included as attached to this letter.

I am proceeding In Forma Pauperis in all three listed cases and cannot afford the fees for this litigation hold letter. It will be up to the U.S. Attorney Office who prosecuted me and the Commonwealth Attorney who prosecuted me to investigate the issues I have raised in this litigation hold letter, and to deal with the legal costs for retention of evidence subject to Brady v. Maryland, 373 U.S. 83 (1963); and Giglio v. United States, 405 U.S. 150 (1972).

Under the Bank Secrecy Act, all banks have to retain check records and bank records for at least five (5) years. Brian Hill, the Petitioner in two cases and criminal defendant in the Circuit court case asks the bank for retention of specific records beyond

the five year retention period of the Bank Secrecy Act until the litigation of the foregoing listed three cases (two are federal, one is state) have been resolved and disposed of under the Federal Rules of Evidence, Federal Rules of Civil and Criminal Procedures, and Rules of the Virginia Courts.

The following Brian David Hill requests such records in the bank(s) be retained, preserved, and not destroyed and not be spoliated (spoliation):

1. Photocopy of the cashed in or withdrawn check from the company: “The Chimney Sweep” for the amount of $300, check dated October 5, 2017, and cashed in on October 6, 2017 and was cashed in from any authorized agent of the company: “The Chimney Sweep” or Mr. JaCody Cassell (owner) of the company: “The Chimney Sweep”.
2. Bank statements from both Roberta Ruth Hill in October, 2017, and any account statements regarding cashing in or withdrawing money from the $300 check from any authorized agent of the company: “The Chimney Sweep” or Mr. JaCody Cassell (owner) of the company: “The Chimney Sweep”.

These records are important as this person is a difficult witness who will not cooperate with Brian David Hill requesting that he testify in his criminal case in admitting to a simple mistake which changed the life of Brian David Hill by being subject long-term to carbon monoxide poisoning in Apartment 2 of 310 Forest Street, Martinsville, Virginia 24112, from October 5, 2017, until September 20, 2018, prior to the arrest of Brian David Hill on September 21, 2018.

The records help prove that Mr. JaCody Cassell through his legal counsel Mr. Eric Ferguson had lied about never doing any chimney work and never doing any estimate to Aaron Ziglar of the Dispute Resolution Unit, a office of the Attorney General Office for the Commonwealth of Virginia. Case no. 953850. Lied about conducting no estimate and not doing any work at the residence of Roberta Hill. $300 was paid to The Chimney Sweep and retention of those records is necessary for the litigation in all three cases.

The purpose is to help prove the actual innocence of Brian David Hill for his charge of indecent exposure on September 21, 2018, in the General District Court for the City of Martinsville, appealed to the Circuit Court for the City of Martinsville. As any evidence of carbon monoxide induced intoxication is a recognized criminal defense of “intoxication” which can cause incidents such as indecent exposure. Not just proving actual innocence for the state charge, but also to help prove actual innocence in the

Federal Court in petitioning for Writ of Habeas Corpus in the Western District of Virginia by federal 2254 motion. As well as proving actual innocence to the supervised release violation charge on November 13, 2018. All three cases will need preservation of these records due to the difficulty of witness from The Chimney Sweep to ever admit to the issue of metal tin being placed on top of the chimney flues blocking the exhaust of the gas hot water heater and gas radiator below Apartment 2, the gas appliances in Apartment 3. The blocking of the exhaust of gas ventilation at the top of the chimney had caused the carbon monoxide gas poisoning and carbon monoxide gas exposure of Brian David Hill from October 5, 2017, until September 20, 2018, prior to the arrest of Brian David Hill on September 21, 2018. The type of gas which was in the issue of carbon monoxide was “natural gas”. His mental health disorders of AUTISM SPECTRUM DISORDER, a neurological disorder, had worsened with the carbon monoxide exposure, prolonged exposure, long term exposure, had caused Mr. Hill to walk around naked outside at night on a deserted walking trail for hours causing the police to arrest this innocent man for indecent exposure, the police unaware of the carbon monoxide gas. A chimney business expert known as Pete Compton of ACE Chimney & Wildlife; Bassett, VA, found the metal tin blocking the exhaust flue or flues of the chimney, and that was on January 30, 2019.

The legal reasons for why retention of those financial records and check records are necessary for this difficult witness, Mr. JaCody Cassell. He is refusing to accept responsibility and refusing to cooperate with Brian Hill's repeated requests for him to voluntarily testify and admit to or admit that one of his employees had placed the metal tin on the chimney on October 5, 2017. Denying ever doing an estimate, denying ever conducting a service. Denied everything. He is a difficult witness and such difficult witness warrants preservation of the listed records until all three litigation cases listed herein are resolved.

The three cases which the litigation hold letter is regarding preservation of evidence for three different cases listed herein:

Title of case or case style:	Case number:	Courthouse:
Brian David Hill v. Commonwealth of Virginia	7:22-cv-00336	U.S. District Court, Western District of Virginia
Brian David Hill v. United States of America	1:22-CV-00074, 1:13-cr-435-1	U.S. District Court, Middle District of North Carolina
Commonwealth of Virginia	CR19000009-00	Circuit Court for the City of

v. Brian David Hill		Martinsville, Commonwealth of Virginia

Brian did not wanted to take things this far but to prove actual innocence he must fight with every avenue he has at his disposal to clear his name of any misdoing on September 21, 2018. Brian must prove his innocence and therefore the records must be retained due to the witness Mr. JaCody Cassell being a difficult witness refusing to admit to anything which caused the metal tin to further cause the issue of carbon monoxide poisoning of Brian David Hill.

Thank You. Respectfully filed with the banks and FDIC, this the 23rd day of July, 2022.



God bless you,
Brian D. Hill
Ally of Q, Former news reporter of U.S.W.G.O. Alternative News
310 Forest Street, Apartment 2
Martinsville, Virginia 24112
(276) 790-3505

JusticeForUSWGO.NL or JusticeForUSWGO.wordpress.com

SUNTRUST BANK
PO BOX 305183
NASHVILLE TN 37230-5183

63/B11/0175/0 /74
1000155990541
10/19/2017

ACCOUNT
STATEMENT

ROBERTA R HILL
310 FOREST ST APT 1
MARTINSVILLE VA 24112-4210

QUESTIONS? PLEASE CALL
1-800-786-8787

FINANCIAL CONFIDENCE GIVES YOU ALL KINDS OF CONFIDENCE.
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ACCOUNT SUMMARY

ACCOUNT TYPE	ACCOUNT NUMBER	STATEMENT PERIOD	TAXPAYER ID
EVERYDAY CHECKING	1000155990541	09/21/2017 - 10/19/2017	[redacted]-6831

DESCRIPTION	AMOUNT	DESCRIPTION	AMOUNT
BEGINNING BALANCE	$2,344.02	AVERAGE BALANCE	$2,873.13
DEPOSITS/CREDITS	$1,508.18	AVERAGE COLLECTED BALANCE	$2,873.13
CHECKS	$870.28	NUMBER OF DAYS IN STATEMENT PERIOD	29
WITHDRAWALS/DEBITS	$670.06		
ENDING BALANCE	$2,311.86		

DEPOSITS/CREDITS

DATE	AMOUNT	DESCRIPTION	SR	BATCH
09/22	712.46	ELECTRONIC/ACH CREDIT VA DMAS PAYROLLJNL RA2482754	30	64008949991
09/25	25.40	POINT OF SALE CREDIT TR DATE 09/22 REFUNDAMAZON.COM SEATTLE WA 00000101	82	
09/29	.05	ELECTRONIC/ACH CREDIT Amazon Asi935247 EDI PYMNTS OFA000100268898	30	70010329180
09/29	5.15	ELECTRONIC/ACH CREDIT Amazon Australia Services Inc.ACH/CRED /ORGAC/GB37DEUT40508128305600/Payment#: 59540504 null	30	71002000056
09/29	18.57	ELECTRONIC/ACH CREDIT AMAZON.COM935692 EDI PYMNTS OFA000100677296	30	70010328831
09/29	20.83	ELECTRONIC/ACH CREDIT AMAZON.COM935389 EDI PYMNTS OFA000100498304	30	70010328712
09/29	.11	ELECTRONIC/ACH CREDIT AMAZON MEDIA EU SARL ACH/CRED /ORGAC/GB51DEUT40508127304211/Payment#: 59391269 null	30	72003964873
09/29	.89	ELECTRONIC/ACH CREDIT AMAZON MEDIA EU SARL ACH/CRED /ORGAC/GB08DEUT40508127304209/Payment#: 59233693 null	30	72003968814
09/29	3.93	ELECTRONIC/ACH CREDIT AMAZON MEDIA EU SARL ACH/CRED /ORGAC/GB51DEUT40508127304211/Payment#: 59391790 null	30	72003965816
09/29	8.33	ELECTRONIC/ACH CREDIT AMAZON MEDIA EU SARL ACH/CRED /ORGAC/GB24DEUT40508127304212/Payment#: 60023625 null	30	72003966442
10/06	712.46	ELECTRONIC/ACH CREDIT VA DMAS PAYROLLJNL RA2496762	30	78008232944

DEPOSITS/CREDITS: 11 TOTAL ITEMS DEPOSITED: 0

CHECKS

CHECK NUMBER	AMOUNT	DATE PAID	SR	BATCH	CHECK NUMBER	AMOUNT	DATE PAID	SR	BATCH
167	325.00	10/10	20	75241135	169	245.28	10/10	20	75225054
168	300.00	10/06	20	78221138					

CHECKS: 3

MEMBER FDIC

CONTINUED ON NEXT PAGE

TRUIST

MC 306-40-06-60
P.O. BOX 85052
RICHMOND, VA 23285

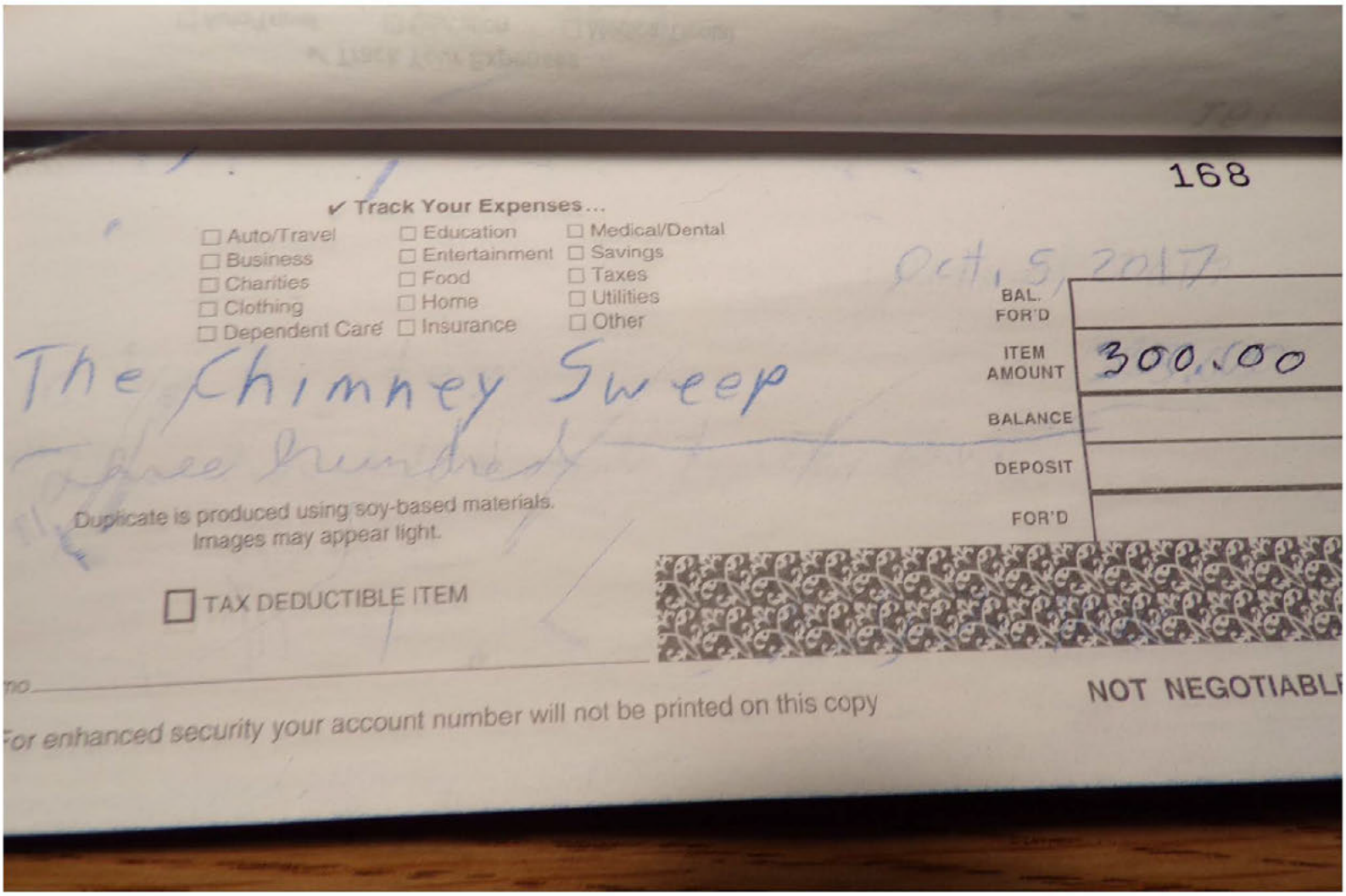
RICHMOND VA 230
21 JUL 2022 PM 1 L

US POSTAGE PITNEY BOWES
ZIP 23224 $ 000.57⁰
02 4W
0000365842 JUL 21 2022

Received on
July 23, 2022

ROBERTA RUTH HILL
310 FOREST STREET APT. 1
MARTINSVILLE, VA 24112

24112-421010



168

✓ Track Your Expenses...

☐ Auto/Travel	☐ Education	☐ Medical/Dental
☐ Business	☐ Entertainment	☐ Savings
☐ Charities	☐ Food	☐ Taxes
☐ Clothing	☐ Home	☐ Utilities
☐ Dependent Care	☐ Insurance	☐ Other

Oct, 5, 2017

The Chimney Sweep

Three hundred

BAL. FOR'D

ITEM AMOUNT 300.00

BALANCE

DEPOSIT

FOR'D

Duplicate is produced using soy-based materials.
Images may appear light.

☐ TAX DEDUCTIBLE ITEM

no

For enhanced security your account number will not be printed on this copy

NOT NEGOTIABL

TRUIST

Truist Bank
306-18-02-40
PO Box 85024
Richmond, VA 23294

US POSTAGE PITNEY BOWES
ZIP 28217 $ 000.45[5]
02 4W
0000348030 AUG 12 2022

Roberta R. Hill
310 Forest St., Apt. 1
Martinsville, VA 24112

632074509 21 GAK3N5B 24112

TRUIST

Client Advocacy
P.O. Box 85024
Richmond, VA 23285-5024
Tel 844-4TRUIST

Kathy Bowles
Assistant Vice President
Client Resolution Senior Specialist

August 11, 2022

Roberta R. Hill
310 Forest St., Apt. 1
Martinsville, VA 24112

Re: Everyday Checking Account ending in 0541
Consumer Financial Protection Bureau (CFPB) Case 220708-9015906
Federal Deposit Insurance Corporation (FDIC) Case 01419660

Dear Ms. Hill:

We have received and reviewed your concerns forwarded to us from the CFPB and the FDIC regarding your request for a statement and check copy from the account referenced above. I understand you did not have a positive experience and apologize for any frustration caused. I appreciate the opportunity to respond.

Our records indicate that your statement dated October 19, 2017, shows Check 168, payable to The Chimney Sweep, was paid on October 6, 2017 for $300.00. Enclosed is a copy of the statement and check for your review.

Ms. Hill, I hope this information is helpful and will alleviate further concerns. Should you have any questions or additional concerns, please call us at 844-4TRUIST (844-487-8478). A representative will be glad to speak with you.

Sincerely,

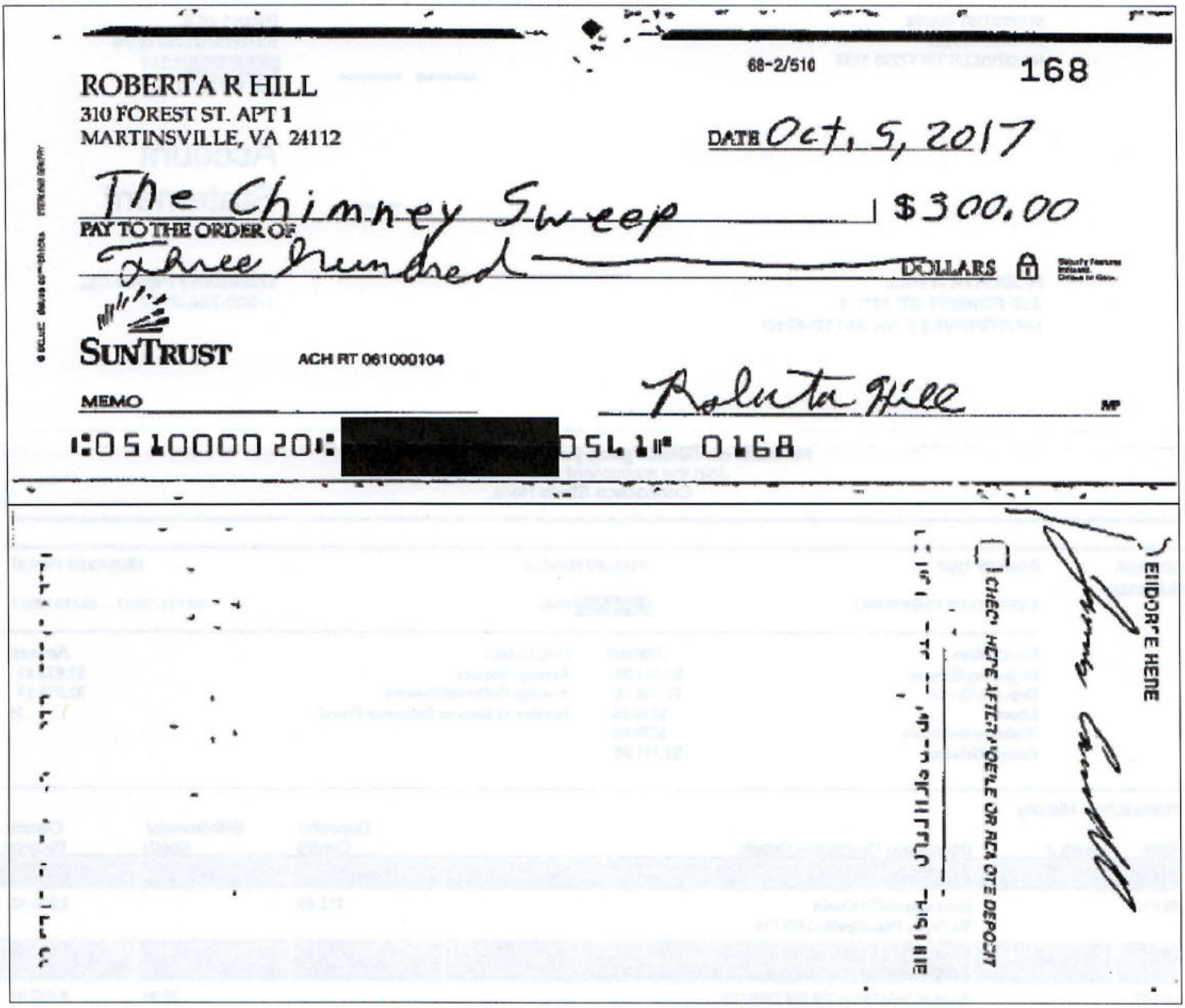
Kathy Bowles

Kathy Bowles
Assistant Vice President, Client Resolution Senior Specialist
Consumer Regulatory & Executive Services Team

Enclosures

Copies to: Consumer Financial Protection Bureau
Federal Deposit Insurance Corporation

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ROBERTA R HILL
310 FOREST ST. APT 1
MARTINSVILLE, VA 24112

68-2/510

168

DATE Oct. 5, 2017

PAY TO THE ORDER OF The Chimney Sweep | $300.00

Three Hundred DOLLARS

SUNTRUST

ACH RT 061000104

MEMO

Roberta Hill

⑆051000020⑆ [redacted] 0541⑈ 0168

ENDORSE HERE

CHECK HERE AFTER MOBILE OR RDC SITE DEPOSIT

SUNTRUST BANK
PO BOX 305183
NASHVILLE TN 37230-5183

63/B11/0175/0/74
[redacted]0541
10/19/2017

Account Statement

Transaction History

Date	Check #	Transaction Description Details	Deposits/ Credits	Withdrawals/ Debits	Current Balance
10/03		Check Card Purchase TR DATE10/01 Arv*arvixe 888-9278493 Ca		19.90	3,029.86
10/05		Point of Sale Debit TR DATE10/04 Amazon.Com Seattle Wa 00000101		18.42	3,011.44
10/06		Electronic/ACH Credit Va Dmas PayrolljnlRa2496762	712.46		
10/06		Point of Sale Debit TR DATE10/06 Amazon.Com Seattle Wa 00000101		80.63	
10/06	168	Check		300.00	3,343.27
10/10		Point of Sale Debit TR DATE10/08 Amazon.Com Seattle Wa 00000100		21.39	
10/10		Point of Sale Debit TR DATE10/08 Amazon.Com Seattle Wa 00000100		6.64	
10/10		Point of Sale Debit TR DATE10/09 Wm Supercenter Martinsville Va12430060		62.13	
10/10	169	Check		245.28	
10/10	167	Check		325.00	2,682.83
10/11		Electronic/ACH Debit UtilityGas Compan 38171		22.81	2,660.02
10/12		Check Card Purchase TR DATE10/12 Tracfone *Services Tracfone.Com Fl		9.63	
10/12		Point of Sale Debit TR DATE10/10 Amazon.Com Seattle Wa 00000100		188.35	2,462.04
10/13		Electronic/ACH Debit Capital One Online Pmt Ckf784798608pos		5.49	2,456.55
10/18		Electronic/ACH Debit Comcast Online Pmt Ckf784798608pos		144.69	2,311.86
10/19		Ending Balance			2,311.86
		Credit and Debit Totals	$1,508.18	$1,540.34	

The Ending Daily Balances provided do not reflect pending transactions or holds that may have been outstanding when your transactions posted that day. If your available balance wasn't sufficient when transactions posted, fees may have been assessed.
For more information, including details related to fees and balances, please sign on to Online Banking.

Balance Activity History

Date	Balance	Collected Balance	Date	Balance	Collected Balance
09/21	2,344.02	2,344.02	10/05	3,011.44	3,011.44
09/22	3,056.48	3,056.48	10/06	3,343.27	3,343.27
09/25	3,081.88	3,081.88	10/10	2,682.83	2,682.83
09/27	3,052.94	3,052.94	10/11	2,660.02	2,660.02
09/29	3,110.80	3,110.80	10/12	2,462.04	2,462.04
10/02	3,049.76	3,049.76	10/13	2,456.55	2,456.55
10/03	3,029.86	3,029.86	10/18	2,311.86	2,311.86

Live confidently knowing that you're prepared for what comes your way. When you have the right savings plan, life's opportunities are a cause for celebration, not calculation. Plan today for an exciting tomorrow.
Go to suntrust.com/save, call 800.322.3158 or visit your local branch to get started.
SunTrust Bank, Member FDIC.

Received On 9/6/2022 By User: apritchett Circuit Court Clerk's Office Martinsville, VA Ashby R. Pritchett, Clerk

VIRGINIA: IN THE CIRCUIT COURT FOR THE CITY OF MARTINSVILLE

COMMONWEALTH OF VIRGINIA, CITY OF MARTINSVILLE, PLAINTIFF(s),	)	CASE NO: CR19000009-00
v.	)	MOTION REQUESTING COMMONWEALTH ATTORNEY RESPOND TO MOTION FOR JUDGMENT OF ACQUITTAL OR NEW TRIAL PURSUANT TO RULE 3A:15 BASED UPON NEW EVIDENCE OF SUSPECT JACODY CASSELL OF BUSINESS ENTITY: THE CHIMNEY SWEEP WHO CAUSED CARBON MONOXIDE POISONING INTOXICATION OF CRIMINAL DEFENDANT WARRANTING NEW TRIAL OR ACQUITTAL
BRIAN DAVID HILL, DEFENDANT.	)	

MOTION REQUESTING COMMONWEALTH ATTORNEY RESPOND TO MOTION FOR JUDGMENT OF ACQUITTAL OR NEW TRIAL PURSUANT TO RULE 3A:15 BASED UPON NEW EVIDENCE OF SUSPECT JACODY CASSELL OF BUSINESS ENTITY: THE CHIMNEY SWEEP WHO CAUSED CARBON MONOXIDE POISONING INTOXICATION OF CRIMINAL DEFENDANT WARRANTING NEW TRIAL OR ACQUITTAL

Respectfully submitted with the Court,

This the 4th day of September, 2022.

Brian D. Hill
Signed
Brian D. Hill

Brian D. Hill
Defendant
Former news reporter of U.S.W.G.O. Alternative News
Ally of Q
310 Forest Street, Apartment 2
Martinsville, Virginia 24112
(276) 790-3505

JusticeForUSWGO.NL or JusticeForUSWGO.wordpress.com

SUMMARY

COMES NOW the Defendant, BRIAN DAVID HILL ("Defendant"), by and through himself pro se, and moves this Honorable Court for the following, requesting that the Court enter an order directing the Commonwealth Attorney Glen Andrew Hall (City of Martinsville, Commonwealth of Virginia) to respond within 2 months or longer to the accompanying "MOTION FOR JUDGMENT OF ACQUITTAL OR NEW TRIAL PURSUANT TO RULE 3A:15 BASED UPON NEW EVIDENCE OF SUSPECT JACODY CASSELL OF BUSINESS ENTITY: THE CHIMNEY SWEEP WHO CAUSED CARBON MONOXIDE POISONING INTOXICATION OF CRIMINAL DEFENDANT WARRANTING NEW TRIAL OR ACQUITTAL". Defendant requests that they respond before the Circuit Court renders a final decision on that pending motion. The reasons are specified in the "MOTION FOR JUDGMENT OF ACQUITTAL OR NEW TRIAL PURSUANT TO RULE 3A:15 BASED UPON NEW EVIDENCE OF SUSPECT JACODY CASSELL OF BUSINESS ENTITY: THE CHIMNEY SWEEP WHO CAUSED CARBON MONOXIDE POISONING INTOXICATION OF CRIMINAL DEFENDANT WARRANTING NEW TRIAL OR ACQUITTAL". Defendant is entitled to a response from the Commonwealth Attorney over this 4th motion for new trial or judgment of acquittal. This Court is entitled to a response from the Commonwealth Attorney over this 4th motion for new trial or judgment of

acquittal. Since the evidence disproves the elements of the charged crime and creates a criminal defense of involuntary intoxication. A conviction cannot be sustained. Therefore, Defendant requests that the Court order a response from the Commonwealth Attorney.

REQUEST FOR COURT TO PROVIDE EQUITABLE RELIEF AND ANY OTHER RELIEF

Therefore, the Defendant prays that this Honorable Court order the following:

1. That the Circuit Court order Commonwealth Attorney Glen Andrew Hall to respond to the Defendant's recently filed and pending "MOTION FOR JUDGMENT OF ACQUITTAL OR NEW TRIAL PURSUANT TO RULE 3A:15 BASED UPON NEW EVIDENCE OF SUSPECT JACODY CASSELL OF BUSINESS ENTITY: THE CHIMNEY SWEEP WHO CAUSED CARBON MONOXIDE POISONING INTOXICATION OF CRIMINAL DEFENDANT WARRANTING NEW TRIAL OR ACQUITTAL";
2. That the Circuit Court give the Commonwealth Attorney at least 60 days or longer to file a written response to the Defendant's "MOTION FOR JUDGMENT OF ACQUITTAL OR NEW TRIAL PURSUANT TO RULE 3A:15 BASED UPON NEW EVIDENCE OF SUSPECT JACODY CASSELL OF BUSINESS ENTITY: THE CHIMNEY SWEEP WHO CAUSED CARBON MONOXIDE

POISONING INTOXICATION OF CRIMINAL DEFENDANT WARRANTING NEW TRIAL OR ACQUITTAL";

3. That the Circuit Court consider providing any other relief or remedy that is just and proper, in the proper administration of justice and integrity for the Court.

Respectfully submitted with the Court, This the 4th day of September, 2022.

Brian D. Hill
Signed
Brian D. Hill

Brian D. Hill
Defendant
Former news reporter of U.S.W.G.O. Alternative News
Ally of Q
310 Forest Street, Apartment 2
Martinsville, Virginia 24112
(276) 790-3505
JusticeForUSWGO.NL or JusticeForUSWGO.wordpress.com

CERTIFICATE OF SERVICE, CERTIFICATE OF FILING

I hereby certify that a true and accurate copy of the foregoing Motion was faxed or emailed/transmitted by my Assistant Roberta Hill at rbhill67@comcast.net (due to Probation Conditions of not being allowed to use the Internet) or delivered this 4th day of September, 2022, to the following parties:

1. Commonwealth of Virginia
2. City of Martinsville

by having representative Roberta Hill filing his pleading on his behalf with the Court, through email address rbhill67@comcast.net, transmit/faxed a copy of this pleading to the following attorneys who represent the above parties to the case:

Glen Andrew Hall, Esq. Commonwealth Attorney's Office for the City of Martinsville 55 West Church Street P.O. Box 1311 Martinsville, Virginia 24114/24112 Attorney for the Commonwealth Phone: (276) 403-5470 Fax: (276) 403-5478 Email: ahall@ci.martinsville.va.us	Hon. Ashby R. Pritchett, Clerk of the Court Circuit Court for the City of Martinsville Phone: 276-403-5106 Fax: 276-403-5232 55 West Church Street, Room 205 P.O. Box 1206 Martinsville, VA 24114 Email: apritchett@vacourts.gov

The reason why Brian David Hill must use such a representative to serve such pleading with the Clerk on his behalf is because Brian is currently still under the conditions of Supervised Release for the U.S. District Court barring internet usage without permission. Brian's Probation Officer is aware of Roberta Hill using her email for conducting court business concerning Brian Hill or court business with the Probation Office in regards to Brian David Hill. Therefore Roberta Hill is filing the pleading on Brian's behalf for official court business. Brian has authorized her to file the pleading. All exhibits or any exhibits with anything printed from any internet based service was printed and researched by Roberta Hill.

That should satisfy the Certificate of Service regarding letters/pleadings during the ongoing Covid-19 pandemic. If the Court wishes to contact the filer over any issues or

concerns, please feel free to contact the filer Brian David Hill directly by telephone or by mailing. They can also contact c / o Roberta Hill at rbhill67@comcast.net and request that she forward the message and any documents or attachments to Brian David Hill to view offline for his review.

Brian D. Hill
Defendant
Former news reporter of U.S.W.G.O. Alternative News
Ally of Q
310 Forest Street, Apartment 2
Martinsville, Virginia 24112
(276) 790-3505
JusticeForUSWGO.NL or JusticeForUSWGO.wordpress.com

Received On 9/6/2022 By User: apritchett Circuit Court Clerk's Office Martinsville, VA Ashby R. Pritchett, Clerk

VIRGINIA: IN THE CIRCUIT COURT FOR THE CITY OF MARTINSVILLE

COMMONWEALTH OF VIRGINIA, CITY OF MARTINSVILLE, PLAINTIFF(s),	)	CASE NO: CR19000009-00
v.	)	**MOTION FOR JUDGMENT OF ACQUITTAL OR NEW TRIAL PURSUANT TO RULE 3A:15 BASED UPON NEW EVIDENCE OF SUSPECT JACODY CASSELL OF BUSINESS ENTITY: THE CHIMNEY SWEEP WHO CAUSED CARBON MONOXIDE POISONING INTOXICATION OF CRIMINAL DEFENDANT WARRANTING NEW TRIAL OR ACQUITTAL**
BRIAN DAVID HILL, DEFENDANT.	)	

MOTION FOR JUDGMENT OF ACQUITTAL OR NEW TRIAL PURSUANT TO RULE 3A:15 BASED UPON NEW EVIDENCE OF SUSPECT JACODY CASSELL OF BUSINESS ENTITY: THE CHIMNEY SWEEP WHO CAUSED CARBON MONOXIDE POISONING INTOXICATION OF CRIMINAL DEFENDANT WARRANTING NEW TRIAL OR ACQUITTAL

Respectfully submitted with the Court,

This the 4th day of September, 2022.

Brian D. Hill
Signed
Brian D. Hill

Brian D. Hill
Defendant
Former news reporter of U.S.W.G.O. Alternative News
Ally of Q
310 Forest Street, Apartment 2
Martinsville, Virginia 24112
(276) 790-3505

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COVER PAGE

Table of Contents

VIRGINIA: IN THE CIRCUIT COURT FOR THE CITY OF MARTINSVILLE 1

COMMONWEALTH OF VIRGINIA, ...1

MOTION FOR JUDGMENT OF ACQUITTAL OR NEW TRIAL PURSUANT TO RULE 3A:15 BASED UPON NEW EVIDENCE OF SUSPECT JACODY CASSELL OF BUSINESS ENTITY: THE CHIMNEY SWEEP WHO CAUSED CARBON MONOXIDE POISONING INTOXICATION OF CRIMINAL DEFENDANT WARRANTING NEW TRIAL OR ACQUITTAL 1

Table of Contents.....2

SUMMARY 8

Odum standard: Odum v. Commonwealth, 225 Va. 123, 124 (Va. 1983) ("1. Motions for new trials based on after-discovered evidence are within the discretion of the Trial Judge, are not favored, are considered carefully and cautiously, and are reluctantly awarded. 2. The movant for a new trial for after-discovered evidence bears the burden to prove the evidence (a) was discovered after trial, (b) could not have been discovered earlier by reasonable diligence, (c) is not merely cumulative, corroborative or collateral, and (d) is material and should produce opposite results on new trial.").....11

Tweed standard: Commonwealth v. Tweed, 264 Va. 524, (Va. 2002) ("2. Motions for new trials based on after-discovered evidence are addressed to the sound discretion of the trial judge, are not looked upon with favor, are considered with special care and caution, and are awarded with great reluctance. 3. A party who seeks a new trial based upon after-discovered evidence bears the burden to establish that the evidence (1) appears to have been discovered subsequent to the trial; (2) could not have been secured for use at the trial in the exercise of reasonable diligence by the movant; (3) is not merely cumulative, corroborative, or collateral; and (4) is material, and such as should produce

opposite results on the merits at another trial. The litigant must establish each of these mandatory criteria.”).....11

CRIMINAL DEFENSE PROFFERED BY DEFENDANT, DEFENSE OF INVOLUNTARY INTOXICATION BY INTRODUCTION OF SUSPECT: JACODY CASSELL OF COMPANY: THE CHIMNEY SWEEP 15

STATEMENT OF THE FACTS.....26

Element 1: The Chimney Sweep was paid $300 on October 5, 2017 by Roberta Hill (owner of the Triplex, mother of defendant) to install some type of chimney cap or screening to prevent invasive species of birds from invading the chimney of the Triplex at 310 Forest Street, Martinsville, VA, Apartment 2 of that Triplex being the apartment of Brian David Hill, the criminal Defendant of this case. Proof of the $300 payment to JaCody Cassell, owner of the business entity known as The Chimney Sweep is authenticated by banking records provided by TRUIST Bank, formerly SunTrust bank. BB&T was reportedly bought up by TRUIST. TRUIST branch bank is located in Rocky Mount, VA, the same town as The Chimney Sweep......26

Element 2: Telephone records printed from xFinity/Comcast account in 2017, proved that Roberta Hill’s/Defendant’s phone number 276-790-3505 was in contact with the mobile phone number (540) 483-2468 of the business referred to as The Chimney Sweep, that phone number listed in their logo and on the Better Business Bureau (BBB) website. That phone number was in contact with Roberta Hill for 3 minutes and 11 seconds on September 26, 2017. On October 5, 2017, there were two matches of contact with that phone number (540) 483-2468 on October 5, 2017, the same day which Mr. Cassell of The Chimney Sweep was paid $300 for the job they were paid for......28

Element 3: It was discovered by chimney service expert Pete Compton of ACE Chimney & Wildlife that he found metal tin on top of the chimney flues at 310 Forest Street, Martinsville, VA. It was found on January 30, 2019. That metal tin had blocked the exhaust of multiple gas appliances which had used the chimney flue for exhausting usage of natural gas provided by company: Southwestern Virginia Gas Company. The gas appliances at issue here are a hot water heater, and a gas furnace/radiator which heats Apartment 1 and Apartment 2, and its pipes heats up the Apartment 3 below Apartment 2. 29

Element 4: There were no other chimney services hired between the timeframe of The Chimney Sweep on October 5, 2017 and ACE Chimney & Wildlife on January 30, 2019 where the metal tin was found......30

Element 5: It is believed that the metal tin blocking the exhaust of gas appliances had caused toxicity of Carbon Monoxide gas. Carbon monoxide (chemical formula CO) is a colorless, highly poisonous, odorless, tasteless, flammable gas that is slightly less dense than air. Carbon monoxide consists of one carbon atom and one oxygen atom connected by a triple bond. It is the simplest molecule of the oxocarbon family. In coordination complexes the carbon monoxide ligand is called carbonyl. It is a key ingredient in many processes in industrial chemistry. See Bierhals, Jürgen (2001). "Carbon Monoxide". Ullmann's Encyclopedia of Industrial Chemistry. Weinheim: Wiley-VCH. doi:10.1002/14356007.a05_203. 31

Element 6: Brian David Hill, the criminal defendant was exposed to the Carbon Monoxide gas between October 5, 2017, the date of when it started after metal tin was installed on top of the chimney flues, and the date of September 20, 2018 late at night when Defendant left the home and was found naked in a public place by Officer Robert Jones (Martinsville Police Department) on September, 21, 2018, who charged Defendant with indecent exposure. The term of carbon monoxide

exposure is long-term, meaning that the exposure to the dangerous gas was not acute and was for a period longer than a brief or acute period. In Brian's case, it was 11 months, 2 weeks, 1 day exposure to the gas before he left home and was arrested for indecent exposure a day later. A total of 350 days. Short of 365 days which makes a year. Short of 15 days, Defendant was exposed to Carbon Monoxide gas 15 days short of a one year Earth cycle, 365 days on the human calendar......32

Element 7: Defendant is asserting with this Circuit Court that he proffers a criminal defense of involuntary intoxication, involuntary intoxication caused by the long term exposure to Carbon Monoxide, not acute exposure which isn't long term. It is involuntary because Defendant never asked to be poisoned long-term to the Carbon Monoxide gas. Defendant was not aware of being exposed to Carbon Monoxide until February or March, 2019, while family had visitation with Defendant at the Federal Correctional Institution in Butner, North Carolina during a court ordered mental evaluation. Defendant found out about the carbon monoxide gas after his family told him about the issue, and Defendant informed his family that it may have been what caused the indecent exposure. Family did further research and discovered Defendant had suffered a lot of symptoms during the timeframe period of the Carbon Monoxide exposure. Symptoms such as mental confusion, psychosis, abnormal White Blood Cell (WBC) count, abnormal Mean Platelet Volume (MPV), Sinus Tachycardia, having blackout of memories, feeling like he may have been drugged but didn't know why at the time, fainting or dizzy spell which caused the blood wound of Brian Hill on November 19, 2017 where blood was coming out of the laceration of his head. Defendant believes there is enough evidence for necessary appointment of a Carbon Monoxide expert of some kind necessary to explain to this Circuit Court that Carbon Monoxide gas poisoning, long term, can induce the criminal Defendant with Autism Spectrum

Disorder to exhibit a weird abnormal behavior of walking around naked in a public place at night. An expert will be needed to confirm the elements facts of how Carbon Monoxide gas induced the charged indecent exposure behavior of Brian David Hill on September 21, 2018. 33

Element 8: Defendant had filed a complaint against The Chimney Sweep with the Fire Marshals in September, 2019, by fax. Nothing ever panned out from that complaint and request for inquiry/investigation. Defendant found out about the consumer complaint process at the Office of the Attorney General, to protect consumers from fraud and business wrongdoings. Defendant filed a complaint on May 17, 2022. The Chimney Sweep was served with the complaint and attached evidence. They responded through its owner JaCody Cassell who hired a lawyer Eric Ferguson to respond to Defendant's complaint......40

Element 9: This lawyer, Eric Ferguson, who represented JaCody Cassell had lied to the Dispute Resolution Unit of the Office of the Attorney General. They lied to a Government office, an office under the authority and control of the Attorney General for the Commonwealth of Virginia. They lied to a government agency of this Commonwealth. Here is how it can be proven. Eric claimed his client never conducted an estimate for Roberta Hill, never did any work for Roberta Hill, has no records of any work for Roberta Hill, and cannot remember anything and has no belief of ever doing a job for Roberta Hill involving her chimney in 2017. The attorney also raised the issue that the complaint filer Brian David Hill had waited up till 5 years to file the complaint. Of course the Defendant was not aware of the carbon monoxide until February or March, 2019. Defendant filed a complaint with the Fire Marshals by fax in September, 2019. It proved that Defendant did not wait 5 years before deciding to complain about The Chimney Sweep. The first

time he complained was in the same year he found out about the carbon monoxide. 43

Element 10: The evidence disproving the lies of JaCody Cassell through his legal counsel Eric Ferguson are the following: (i.)

xFinity/

Comcast Telephone records of 276-790-3505 in September and October of 2017. In contact with the phone number (540) 483-2468. One phone call contact lasted for the time length period of 3 minutes and 11 seconds. (ii.) Signed bank check record of cashed in check from Roberta Hill paying $300 by check to The Chimney Sweep, and it was signed for by Cassell. Paid for on October 6, 2017. It is authenticated by TRUIST bank records research. 45

ALL ELEMENTS HAVE BEEN PROVEN AND SATISIFIED.....49

LEGAL ARGUMENT AS TO WHY CIRCUIT COURT HAS THE JURISDICTION, AUTHORITY, AND CASE LAW TO JUSTIFY THE RELIEF SOUGHT BY GRANTING THIS MOTION AND EVEN HOLDING AN EVIDENTIARY HEARING.....53

A PARTY SEEKING A NEW TRIAL LEGAL STANDARDS.....58

CONCLUSION 79

EXHIBITS LIST 83

REQUEST FOR COURT TO PROVIDE EQUITABLE RELIEF AND ANY OTHER RELIEF 84

CERTIFICATE OF SERVICE, CERTIFICATE OF FILING.....86

SUMMARY

COMES NOW the Defendant, BRIAN DAVID HILL ("Defendant"), by and through himself pro se, and moves this Honorable Court for the following, for judgment of acquittal or a New Trial pursuant to **Virginia Rules of the Sup. Ct. 3A:15** based upon new evidence not previously submitted to this court, and new evidence not previously known to this Court which creates a criminal defense of involuntary intoxication to the charge in **Exhibit 0** (See **Exhibit 0**, Copy of Arrest Warrant and Criminal Complaint in original General District Court charge), prosecuted by both the City of Martinsville and Commonwealth of Virginia, the Plaintiffs'.

This MOTION contains 4 levels of EXHIBITS:

1. **EXHIBIT 0**, Copy of Arrest Warrant and Criminal Complaint in original General District Court charge
2. **EXHIBIT 1**, ORDER IN MISDEMEANOR OR TRAFFIC INFRACTION PROCEEDING
3. **EXHIBIT 2**, STATUS REPORT OF PETITIONER SEPTEMBER 27, 2018, RE-MAILED ON OCTOBER 10, 2018

4. **<u>EXHIBIT APPENDIX, VOLUME I OF II (Pages 1 – 532)</u>**, IN SUPPORT OF MOTION FOR JUDGMENT OF ACQUITTAL OR NEW TRIAL PURSUANT TO RULE 3A:15 BASED UPON NEW EVIDENCE OF SUSPECT JACODY CASSELL OF BUSINESS ENTITY: THE CHIMNEY SWEEP WHO CAUSED CARBON MONOXIDE POISONING INTOXICATION OF CRIMINAL DEFENDANT WARRANTING NEW TRIAL OR ACQUITTAL. Index page is 5 pages and is marked as roman numerals at footer.
5. **<u>EXHIBIT APPENDIX, VOLUME II OF II (Pages 1 – 79)</u>**, IN SUPPORT OF MOTION FOR JUDGMENT OF ACQUITTAL OR NEW TRIAL PURSUANT TO RULE 3A:15 BASED UPON NEW EVIDENCE OF SUSPECT JACODY CASSELL OF BUSINESS ENTITY: THE CHIMNEY SWEEP WHO CAUSED CARBON MONOXIDE POISONING INTOXICATION OF CRIMINAL DEFENDANT WARRANTING NEW TRIAL OR ACQUITTAL. Index page is 2 pages and is marked as roman numerals at footer.

Exhibit Appendixes are necessary since the amount of evidence records of correspondence and filings with the Commonwealth of Virginia's Dispute Resolution Unit case or cases required to make the exhibits admissible would make an estimate of 100 or more exhibits. All pages of this exhibit appendix

are numbered as EXHIBIT APPENDIX PG. ??? OF 532. All are attached to this motion as supporting evidence documents.

This Motion is pursuant to Virginia Rules of the Sup. Ct. 3A:15; Virginia Code § 19.2-271.6, as well as the Supreme Court of Virginia case law authorities of Commonwealth v. Tweed, 264 Va. 524, 570 S.E.2d 797 (Va. 2002), (the "Tweed standard"), and *Odum v. Commonwealth*, 225 Va. 123, 301 S.E.2d 145 (Va. 1983), (the "Odum standard"). This Court does have lawful jurisdiction and authority to act on this motion, provide an evidentiary hearing to both parties, request the Commonwealth Attorney to respond to the motion, and then this Court can come to a conclusion whether Defendant's request for a new trial should be granted or his request for a judgment of acquittal should be granted in lieu of new trial if the Court finds the new evidence sufficient to create a criminal defense of involuntary intoxication to further disprove enough elements of the Commonwealth's criminal prosecution that no criminal conviction can be sustained, that no criminal conviction can stand even with a trial by jury. The burden of evidence for a judgment of acquittal is likely higher of a standard and burden than the burden of proof standard for requesting a new trial. The burden of proof for involuntary intoxication is less than the burden for proving a defense of mental insanity at the time of an alleged offense allegation.

Involuntary intoxication is a recognized defense in Virginia with its own specific jury instruction, and it has been used with some success elsewhere in the country. It is similar to an insanity defense in that the defendant argues he didn't understand the nature and consequences of his act or could not distinguish right from wrong. That essentially leaves two situations where intoxication is a defense in Virginia for most crimes: (1) being surreptitiously intoxicated without your knowledge or (2) consuming a substance as directed by your physician but where the physician mistakenly prescribed the wrong dose. In this case, that substance was CARBON Monoxide GAS, long term exposure.

Odum standard: Odum v. Commonwealth, 225 Va. 123, 124 (Va. 1983) ("1. Motions for new trials based on after-discovered evidence are within the discretion of the Trial Judge, are not favored, are considered carefully and cautiously, and are reluctantly awarded. 2. The movant for a new trial for after-discovered evidence bears the burden to prove the evidence (a) was discovered after trial, (b) could not have been discovered earlier by reasonable diligence, (c) is not merely cumulative, corroborative or collateral, and (d) is material and should produce opposite results on new trial.").

Tweed standard: Commonwealth v. Tweed, 264 Va. 524, (Va. 2002) ("2. Motions for new trials based on after-discovered evidence are addressed to the sound discretion of the trial judge, are not looked upon with favor, are considered

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With the new evidence Exhibits 2, EXHIBIT APPENDIX, VOLUME I OF II (Pages 1 – 532), EXHIBIT APPENDIX, VOLUME II OF II (Pages 1 – 79), attached thereto this motion, any reasonable juror would find Brian David Hill not guilty beyond a reasonable doubt and a rational trier of fact will even find him not guilty upon preponderance of the evidence, even under the preponderance of the evidence standard.

See **Exhibit 0** ARREST WARRANT and CRIMINAL COMPLAINT for the basis of the originating arrest and criminal complaint against Brian David Hill, dated September 21, 2018, in the General District Court.

The criminal complaint and arrest warrant has three elements which can be disproven. Brian David Hill never plead guilty even when filing a motion to withdraw appeal.

See **EXHIBIT 1**, a copy of the Trial Court's record of: "ORDER IN MISDEMEANOR OR TRAFFIC INFRACTION PROCEEDING". EXHIBIT INDEX PAGE 6 OF 18. See stricken words marked out: "DEF ~~CHANGED HIS PLEA TO GUILTY AND~~ AFFIRMED JUDG GDC, PAY COURT COSTS.". The court did not consider withdrawing appeal a guilty plea. Defendant is still entitled to his rights to new trial or judgment of acquittal.

EXHIBIT INDEX PAGE 2 OF 18 of **Exhibit 0**, ARREST WARRANT said in the originating charge that Defendant was charged with: "intentionally make an obscene display of the accused's person or private parts in a public place or in a place where others were present."

EXHIBIT INDEX PAGE 4 OF 18 of CRIMINAL COMPLAINT said in the originating charge that Defendant was: "was medically and psychologically cleared." Charged by Officer Robert Jones of Martinsville Police Department aka City of Martinsville and Commonwealth of Virginia.

See **Exhibit 2**, STATUS REPORT OF PETITIONER SEPTEMBER 27, 2018, RE-MAILED ON OCTOBER 10, 2018. This is a federal affidavit letter statement. It does show evidence of possibly intoxication. Since the hospital deleted the ordered laboratory tests from the chart at the time of arrest, the Commonwealth cannot disprove intoxication at the time of the arrest and at the time of the incident.

Under both the Virginia Constitutional law and United States Constitutional law and what it requires for all criminal cases, regardless of whether the charge is a misdemeanor or felony, all criminal defendants are presumed innocent until proven guilty and must be proven guilty beyond a reasonable doubt. This includes the requirement that ALL ELEMENTS of a crime which is charged against an innocent person must be proven beyond a reasonable doubt to the satisfaction of a trier of fact or triers of fact before a criminal conviction can be sustained and made final. Yes, Defendant did withdrawn his appeal, but he did preserve his Constitutional and legal rights to challenge his criminal charge and conviction collaterally or in any other way with future evidence acquired. He did preserve his right to prove his actual innocence, that was why the Honorable Giles Carter Greer or his clerk marked out (stricken from the record) any notion of Defendant pleading guilty because the Defendant did not plead guilty but simply entered an Alford Plea, and an Alford Plea can later be contested if new evidence surfaces favorable to the Defendant which proved that the criminal conviction was erroneous because the prosecution was done in error. Defendant entered an Alford Plea in the Circuit Court when he had withdrawn his appeal. He maintained his innocence but at the time accepted that he could have been convicted at jury trial in November, 2019 when the jury trial was set for December 2, 2019. Now with new evidence and

changes of Virginia law regarding admissibility of evidence, Defendant is confident he can be found not guilty by a jury of his peers. New trial is warranted here.

CRIMINAL DEFENSE PROFFERED BY DEFENDANT, DEFENSE OF INVOLUNTARY INTOXICATION BY INTRODUCTION OF SUSPECT: JACODY CASSELL OF COMPANY: THE CHIMNEY SWEEP

Here are the elements of the criminal defense of involuntary intoxication by proving the existence of suspect named JaCody Cassell who owns the business entitled as: The Chimney Sweep. Located in Franklin County, Virginia, in the town of Rocky Mount, Virginia. He is a suspect because he has not admitted to the conduct of the proffered witness evidence and allegations in the complaint filed by Defendant on May 17, 2022 in the Office of the Attorney General and was forwarded to the Dispute Resolution Unit opening a case, so he is a suspect until he either admits to the conduct or if is ever found guilty of the conduct if ever charged for the conduct. Here are the elements of this suspect which support the criminal Defendant's proffered defense of involuntary intoxication:

1. Element 1: The Chimney Sweep was paid $300 on October 5, 2017 by Roberta Hill (owner of the Triplex, mother of defendant) to install some type of chimney cap or screening to prevent invasive species of birds from invading the chimney of the Triplex at 310 Forest Street, Martinsville, VA, Apartment 2 of that Triplex being the apartment of

Brian David Hill, the criminal Defendant of this case. Proof of the $300 payment to JaCody Cassell, owner of the business entity known as The Chimney Sweep is authenticated by banking records provided by TRUIST Bank, formerly SunTrust bank. BB&T was reportedly bought up by TRUIST. TRUIST branch bank is located in Rocky Mount, VA, the same town as The Chimney Sweep.

2. Element 2: Telephone records printed from xFinity/Comcast account in 2017, proved that Roberta Hill's/Defendant's phone number 276-790-3505 was in contact with the mobile phone number (540) 483-2468 of the business referred to as The Chimney Sweep, that phone number listed in their logo and on the Better Business Bureau (BBB) website. That phone number was in contact with Roberta Hill for 3 minutes and 11 seconds on September 26, 2017. On October 5, 2017, there were two matches of contact with that phone number (540) 483-2468 on October 5, 2017, the same day which Mr. Cassell of The Chimney Sweep was paid $300 for the job they were paid for.
3. Element 3: It was discovered by chimney service expert Pete Compton of ACE Chimney & Wildlife that he found metal tin on top of the chimney flues at 310 Forest Street, Martinsville, VA. It was found on January 30, 2019. That metal tin had blocked the exhaust of multiple

gas appliances which had used the chimney flue for exhausting usage of natural gas provided by company: Southwestern Virginia Gas Company. The gas appliances at issue here are a hot water heater, and a gas furnace/radiator which heats Apartment 1 and Apartment 2, and its pipes heats up the Apartment 3 below Apartment 2.

4. Element 4: There were no other chimney services hired between the timeframe of The Chimney Sweep on October 5, 2017 and ACE Chimney & Wildlife on January 30, 2019 where the metal tin was found.
5. Element 5: It is believed that the metal tin blocking the exhaust of gas appliances had caused toxicity of Carbon Monoxide gas. Carbon monoxide (chemical formula CO) is a colorless, highly poisonous, odorless, tasteless, flammable gas that is slightly less dense than air. Carbon monoxide consists of one carbon atom and one oxygen atom connected by a triple bond. It is the simplest molecule of the oxocarbon family. In coordination complexes the carbon monoxide ligand is called carbonyl. It is a key ingredient in many processes in industrial chemistry. See Bierhals, Jürgen (2001). "Carbon Monoxide". Ullmann's Encyclopedia of Industrial Chemistry. Weinheim: Wiley-VCH. doi:10.1002/14356007.a05_203.

6. Element 6: Brian David Hill, the criminal defendant was exposed to the Carbon Monoxide gas between October 5, 2017, the date of when it started after metal tin was installed on top of the chimney flues, and the date of September 20, 2018 late at night when Defendant left the home and was found naked in a public place by Officer Robert Jones (Martinsville Police Department) on September, 21, 2018, who charged Defendant with indecent exposure. The term of carbon monoxide exposure is long-term, meaning that the exposure to the dangerous gas was not acute and was for a period longer than a brief or acute period. In Brian's case, it was 11 months, 2 weeks, 1 day exposure to the gas before he left home and was arrested for indecent exposure a day later. A total of 350 days. Short of 365 days which makes a year. Short of 15 days, Defendant was exposed to Carbon Monoxide gas 15 days short of a one year Earth cycle, 365 days on the human calendar.
7. Element 7: Defendant is asserting with this Circuit Court that he proffers a criminal defense of involuntary intoxication, involuntary intoxication caused by the long term exposure to Carbon Monoxide, not acute exposure which isn't long term. It is involuntary because Defendant never asked to be poisoned long-term to the Carbon

Monoxide gas. Defendant was not aware of being exposed to Carbon Monoxide until February or March, 2019, while family had visitation with Defendant at the Federal Correctional Institution in Butner, North Carolina during a court ordered mental evaluation. Defendant found out about the carbon monoxide gas after his family told him about the issue, and Defendant informed his family that it may have been what caused the indecent exposure. Family did further research and discovered Defendant had suffered a lot of symptoms during the timeframe period of the Carbon Monoxide exposure. Symptoms such as mental confusion, psychosis, abnormal White Blood Cell (WBC) count, abnormal Mean Platelet Volume (MPV), Sinus Tachycardia, having blackout of memories, feeling like he may have been drugged but didn't know why at the time, fainting or dizzy spell which caused the blood wound of Brian Hill on November 19, 2017 where blood was coming out of the laceration of his head. Defendant believes there is enough evidence for necessary appointment of a Carbon Monoxide expert of some kind necessary to explain to this Circuit Court that Carbon Monoxide gas poisoning, long term, can induce the criminal Defendant with Autism Spectrum Disorder to exhibit a weird abnormal behavior of walking around naked in a public place at night. An expert

will be needed to confirm the elements facts of how Carbon Monoxide gas induced the charged indecent exposure behavior of Brian David Hill on September 21, 2018.

8. Element 8: Defendant had filed a complaint against The Chimney Sweep with the Fire Marshals in September, 2019, by fax. Nothing ever panned out from that complaint and request for inquiry/investigation. Defendant found out about the consumer complaint process at the Office of the Attorney General, to protect consumers from fraud and business wrongdoings. Defendant filed a complaint on May 17, 2022. The Chimney Sweep was served with the complaint and attached evidence. They responded through its owner JaCody Cassell who hired a lawyer Eric Ferguson to respond to Defendant's complaint.
9. Element 9: This lawyer, Eric Ferguson, who represented JaCody Cassell had lied to the Dispute Resolution Unit of the Office of the Attorney General. They lied to a Government office, an office under the authority and control of the Attorney General for the Commonwealth of Virginia. They lied to a government agency of this Commonwealth. Here is how it can be proven. Eric claimed his client never conducted an estimate for Roberta Hill, never did any work for

Roberta Hill, has no records of any work for Roberta Hill, and cannot remember anything and has no belief of ever doing a job for Roberta Hill involving her chimney in 2017. The attorney also raised the issue that the complaint filer Brian David Hill had waited up till 5 years to file the complaint. Of course the Defendant was not aware of the carbon monoxide until February or March, 2019. Defendant filed a complaint with the Fire Marshals by fax in September, 2019. It proved that Defendant did not wait 5 years before deciding to complain about The Chimney Sweep. The first time he complained was in the same year he found out about the carbon monoxide.

10. Element 10: The evidence disproving the lies of JaCody Cassell through his legal counsel Eric Ferguson are of the following:

    i. xFinity/Comcast Telephone records of 276-790-3505 in September and October of 2017. In contact with the phone number (540) 483-2468. One phone call contact lasted for the time length period of 3 minutes and 11 seconds.

    ii. Signed bank check record of cashed in check from Roberta Hill paying $300 by check to The Chimney Sweep, and it was signed for by Cassell. Paid for on

October 6, 2017. It is authenticated by TRUIST bank records research.

This motion, the attached exhibits, arguments, and its STATEMENT OF THE FACTS will prove that Defendant Brian David Hill was involuntarily intoxicated by carbon monoxide gas. The suspect is JaCody Cassell of his business entity known as The Chimney Sweep, located at 1492 Blue Bend Rd, Rocky Mount, VA 24151-6568. This involuntary intoxication was caused by The Chimney Sweep, they poisoned and intoxicated Brian David Hill by human error at minimum since October 5, 2017, and September 20, 2018, when Defendant left home and was arrested on September 21, 2018. This disproves two necessary elements of the criminal charge for indecent exposure. It disproves the element of obscenity, and disproves the element of intent. Both are needed to sustain a criminal conviction of indecent exposure. That is the law. See Price v. Commonwealth, 201 S.E.2d 798, 800 (Va. 1974); Romick v. Commonwealth, No. 1580-12-4, 2013 WL 6094240, at *2 (Va. Ct. App. Nov. 19, 2013)(unpublished), other case law authorities.

Again, there are two situations where intoxication is a defense in Virginia for most crimes: (1) being surreptitiously intoxicated without your knowledge or (2) consuming a substance as directed by your physician but where the physician mistakenly prescribed the wrong dose. Case law is provided on the authorities of

this standard, see section: “LEGAL ARGUMENT AS TO WHY CIRCUIT COURT HAS THE JURISDICTION, AUTHORITY, AND CASE LAW TO JUSTIFY THE RELIEF SOUGHT BY GRANTING THIS MOTION AND EVEN HOLDING AN EVIDENTIARY HEARING”.

Intoxication on an involuntary basis proves beyond a shadow of doubt that intent and obscenity cannot be proven by the City of Martinsville and Commonwealth of Virginia. No jury of any kind and no rational trier of fact will convict the Defendant is found to have been involuntary intoxicated as involuntary intoxication negates/nullifies the obscenity element and intent element. Carbon monoxide gas exposure and poisoning can cause intoxication, similar to that of a street drug or alcohol. It is a tasteless and odorless gas, so it cannot be detected without a Carbon Monoxide detector, and cannot be detected without a blood sample checking the levels of CarboxyHemoGlobin. Multiple carbon monoxide detectors were installed in the Triplex after Pete Compton found such issues on January 30, 2019. Carbon Monoxide was never detected after the detectors were placed in the home since the metal tin was removed from the chimney flue where the exhaust was blocked, and was unblocked after Pete Compton discovered that it caused the carbon monoxide gas.

With proving that a criminal defense of involuntary intoxication disproves two elements of the criminal charge in **Exhibit 0**, a conviction cannot be sustained

as a matter of law and as a matter of fact. **It would be an error of fact, error of law, and an abuse of discretion to convict Brian David Hill of this crime after the Circuit Court reviews over this motion, it's STATEMENT OF THE FACTS, it's exhibits, it's case law authorities and legal arguments, and review over the merit of the arguments.** The Commonwealth is free to respond to this motion and they should respond to this motion. The conviction should be overturned, the charge should be thrown out or a new trial must be had. Defendant requests a new trial or judgment of acquittal under the Tweed Standard and Odum Standard, or any other standard which can be applied under the authorities of the Supreme Court of Virginia and Court of Appeals of Virginia.

The request for judgment of acquittal or new trial is for criminal case no. CR19000009-00; charge of violating Virginia Code § 18.2-387. Indecent exposure dated September 21, 2018; and the criminal conviction judgment which was rendered on November 18, 2019. See **Exhibit 0** for the original Arrest Warrant and Criminal Complaint. See **Exhibit 1**, for the "ORDER IN MISDEMEANOR OR TRAFFIC INFRACTION PROCEEDING", the judgment of conviction for the charged crime.

Defendant requests in this motion that the Court consider all new **STATEMENT OF FACTS, EXHIBITS, and arguments in this motion** concerning new facts of toxication by carbon monoxide gas and suspect JaCody

Casell lying about what had caused the carbon monoxide gas on October 5, 2017 thus not being medically and psychologically cleared as previously assumed by law enforcement which were not known at the time of the criminal conviction. JaCody Cassell lied to an officer of the Commonwealth of Virginia in the Dispute Resolution Unit, an office under the jurisdiction of the Attorney General.

This is new evidence because it was not secured during the trial set for December 2, 2019 because in 2019 The Chimney Sweep did not lie to the allegations in complaint brought against The Chimney Sweep until Defednant filed the complaint in May 17, 2022 with the Office of Attorney General when complaint was filed and the lying began on June 28, 2022 in response to Defendant's complaint.

These STATEMENT OF FACTS warrant a judgment of acquittal, or a New Trial, or an evidentiary hearing to make a determination on the new facts and allow both sides to present additional arguments, and responses or any additional evidence to the Court; present any witnesses for direct examination and cross examination; and make a determination if Defendant had made a requisite showing of being innocent of multiple essential elements of the charged crime, meaning that the Virginia law and Local Law was never violated on September 21, 2018. This proves that a conviction cannot be sustained with the new evidence as a matter of law. Defendant kindly and respectfully asks that the Honorable Giles Carter Greer

review over all evidence, exhibits, and arguments in this motion and not ignore it. Please do not ignore any of this, Defendant has the evidence Brian David Hill is innocent and the judgment of acquittal or new trial is warranted.

STATEMENT OF THE FACTS

This STATEMENT OF THE FACTS contains 27 paragraphs, pages 26-53)

The Statement of Facts is hereby presented to the Circuit Court for Martinsville based on the following new pieces of evidence:

Element 1: The Chimney Sweep was paid $300 on October 5, 2017 by Roberta Hill (owner of the Triplex, mother of defendant) to install some type of chimney cap or screening to prevent invasive species of birds from invading the chimney of the Triplex at 310 Forest Street, Martinsville, VA, Apartment 2 of that Triplex being the apartment of Brian David Hill, the criminal Defendant of this case. Proof of the $300 payment to JaCody Cassell, owner of the business entity known as The Chimney Sweep is authenticated by banking records provided by TRUIST Bank, formerly SunTrust bank. BB&T was reportedly bought up by TRUIST. TRUIST branch bank is located in Rocky Mount, VA, the same town as The Chimney Sweep.

1. See EXHIBIT APPENDIX PG. 481, 482, and 483 of **EXHIBIT APPENDIX VOLUME I OF II (Pages 1 – 532)**, containing evidence of a 1-page letter from Kathy Bowles the TRUIST Bank employee of Assistant Vice President, Client Resolution Senior Specialist, Consumer Regulatory & Executive Services Team. The signed check on EXHIBIT APPENDIX PG. 482 OF 532 shown that it was signed with the name in cursive handwriting but that last name appears to be

"CASSELL". The same last name as the business of The Chimney Sweep. The check appears to have been written out to "The Chimney Sweep" on October 5, 2017, and was signed for by a "Cassell". That check was at the amount of $300.00. Paid for by Roberta Hill and her bank account. See EXHIBIT APPENDIX PG. 483 OF 532. Roberta Hill was appearing to have been seeking estimates on a chimney cap as there is a voicemail audio recording from Karen Compton of ACE Chimney & Wildlife, and yes related to or married to Pete Compton of ACE Chimney & Wildlife. See EXHIBIT APPENDIX PG. 495 OF 532. The voicemail file 8-25-2022-2017-9-27--1056AM.mp3 proved that Roberta Hill was looking for a chimney cap in September, 2017. The Chimney Sweep only does chimney work hence is the name of the business: "The Chimney Sweep" who of course would do chimney work type services. It is obvious by the name of that business.

2. Photograph of the home of Defendant at the Triplex at 310 Forest Street is listed in EXHIBIT APPENDIX PG. 514 OF 532, PAGE 4 OF 9 - LETTER TO DEMETRICE DAVIS AND ERIC FERGUSON 8-30-2022. Apartment 2 is below Apartment 1. Apartment 1 is the main top apartment with the chimney on top of Apartment 1. See EXHIBIT APPENDIX PG. 278 OF 532, and you will see the address of The Chimney Sweep as being located at: 1492 Blue Bend Rd, Rocky Mount, VA 24151-6568. The TRUIST bank records do show that they do not have just the record of Roberta Hill's bank account where $300 was paid for to The

Chimney Sweep, but TRUIST also has the signature of the one who cashed in the check by endorsing his signature, "Cassell". Element 1 has been satisfied.

Element 2: Telephone records printed from xFinity/Comcast account in 2017, proved that Roberta Hill's/Defendant's phone number 276-790-3505 was in contact with the mobile phone number (540) 483-2468 of the business referred to as The Chimney Sweep, that phone number listed in their logo and on the Better Business Bureau (BBB) website. That phone number was in contact with Roberta Hill for 3 minutes and 11 seconds on September 26, 2017. On October 5, 2017, there were two matches of contact with that phone number (540) 483-2468 on October 5, 2017, the same day which Mr. Cassell of The Chimney Sweep was paid $300 for the job they were paid for.

Again, referencing: **EXHIBIT APPENDIX VOLUME I OF II (Pages 1 – 532).**

3. Defendant has evidence that he had telephone records printed from xFinity/Comcast account in 2017 according to EXHIBIT APPENDIX PG. 503 OF 532, and EXHIBIT APPENDIX PG. 500 OF 532, proved that Roberta Hill's/Defendant's phone number 276-790-3505 was in contact with the mobile phone number (540) 483-2468 through cell phone provider U.S. Cellular of the business referred to as The Chimney Sweep, that phone number listed in their logo (See EXHIBIT APPENDIX PG. 360 OF 532, PAGE 2 OF 12 - LETTER TO AARON ZIGLAR AND ERIC FERGUSON 7-7-2022) and on the Better Business Bureau (BBB) website (See EXHIBIT APPENDIX PG. 279 OF 532, and EXHIBIT APPENDIX PG. 281 OF 532).

4. That phone number (540) 483-2468 was in contact with Roberta Hill for 3 minutes and 11 seconds on September 26, 2017 according to EXHIBIT APPENDIX PG. 503 OF 532). Call was placed on September 26, 2017 11:26 AM EST. On October 5, 2017, there were two matches of contact with that phone number (540) 483-2468 on October 5, 2017, the same day which Mr. Cassell of The Chimney Sweep was paid $300 for the job they were paid for. See EXHIBIT APPENDIX PG. 500 OF 532. One phone call was placed on 1:22 PM EST and the other phone call was received on 10:04 AM EST. Both two calls on October 5, 2017. Same day as the check was issued by Roberta Hill and was cashed in on October 6, 2017, signed by "Cassell". Again, see EXHIBIT APPENDIX PG. 481, 482, and 483 of **EXHIBIT APPENDIX VOLUME I OF II (Pages 1 – 532)**. This proven that work was done, and check was issued afterwards. Establishes that chimney service work was conducted on October 5, 2017. Major probability of an estimate conducted, the 3 minutes and 11 seconds. Element 2 has been satisfied.

Element 3: It was discovered by chimney service expert Pete Compton of ACE Chimney & Wildlife that he found metal tin on top of the chimney flues at 310 Forest Street, Martinsville, VA. It was found on January 30, 2019. That metal tin had blocked the exhaust of multiple gas appliances which had used the chimney flue for exhausting usage of natural gas provided by company: Southwestern Virginia Gas Company. The gas appliances at issue here are a hot water heater, and a gas furnace/radiator which heats Apartment 1 and Apartment 2, and its pipes heats up the Apartment 3 below Apartment 2.

5. It was discovered by a man named Pete Compton who is part of the company ACE Chimney & Wildlife, in Bassett, Virginia. See EXHIBIT APPENDIX PG. 497 OF 532. On January 30, 2019, according to his witness letter filed with the Virginia Circuit Court and the federal court, he found metal tin on top of the chimney flues at the Triplex located at 310 Forest Street, Martinsville, VA. Again, said that evidence of carbon monoxide gas was found on January 30, 2019. That metal tin had blocked the exhaust of multiple gas appliances which had used the chimney flue for exhausting usage of natural gas provided by company: Southwestern Virginia Gas Company. Causing the gas exhaust to flow through the fireplaces, causing the carbon monoxide issue. The gas appliances at issue here are a hot water heater, and a gas furnace/radiator which heats Apartment 1 and Apartment 2, and its pipes heats up the Apartment 3 below Apartment 2. The witness letter is self-explanatory on this element and thus this element has been satisfied. Pete Compton is willing to testify under oath about every one of the claims made in the witness letter. He is a credible witness for the Circuit Court and for this criminal case. Again, the fireplace exhausted the carbon monoxide gas due to the blockage of the chimney flues by installation of metal tin.

Element 4: There were no other chimney services hired between the timeframe of The Chimney Sweep on October 5, 2017 and ACE Chimney & Wildlife on January 30, 2019 where the metal tin was found.

6. There were no other chimney services hired between the timeframe of The Chimney Sweep on October 5, 2017 and ACE Chimney & Wildlife on January 30, 2019 where the metal tin was found. Roberta Hill is willing to attest to that fact under oath when questioned under oath and is willing to write an affidavit on request by the Court or by the Commonwealth's Attorney over this fact. The only suspect of who placed the metal tin would be somebody employed at The Chimney Sweep. This element has been satisfied.

Element 5: It is believed that the metal tin blocking the exhaust of gas appliances had caused toxicity of Carbon Monoxide gas. Carbon monoxide (chemical formula CO) is a colorless, highly poisonous, odorless, tasteless, flammable gas that is slightly less dense than air. Carbon monoxide consists of one carbon atom and one oxygen atom connected by a triple bond. It is the simplest molecule of the oxocarbon family. In coordination complexes the carbon monoxide ligand is called carbonyl. It is a key ingredient in many processes in industrial chemistry. See Bierhals, Jürgen (2001). "Carbon Monoxide". Ullmann's Encyclopedia of Industrial Chemistry. Weinheim: Wiley-VCH. doi:10.1002/14356007.a05_203.

7. It is believed that the metal tin blocking the exhaust of gas appliances had caused toxicity of Carbon Monoxide gas due to gas flowing from the fireplaces. This belief came due to the discovery made by Pete Compton, see witness letter: EXHIBIT APPENDIX PG. 497 OF 532. Carbon monoxide (chemical formula CO) is a colorless, highly poisonous, odorless, tasteless, flammable gas that is slightly less dense than air. Carbon monoxide consists of one carbon atom and one oxygen atom connected by a triple bond. It is the simplest molecule of the oxocarbon

family. In coordination complexes the carbon monoxide ligand is called carbonyl. It is a key ingredient in many processes in industrial chemistry. See Bierhals, Jürgen (2001). "Carbon Monoxide". Ullmann's Encyclopedia of Industrial Chemistry. Weinheim: Wiley-VCH. doi:10.1002/14356007.a05_203. An expert witness who understands carbon monoxide gas and carbon monoxide poisoning would be necessary to satisfy this element for the records of this Court and for satisfying the facts presented in this case itself. Expert witnesses are needed and are necessary.

Element 6: Brian David Hill, the criminal defendant was exposed to the Carbon Monoxide gas between October 5, 2017, the date of when it started after metal tin was installed on top of the chimney flues, and the date of September 20, 2018 late at night when Defendant left the home and was found naked in a public place by Officer Robert Jones (Martinsville Police Department) on September, 21, 2018, who charged Defendant with indecent exposure. The term of carbon monoxide exposure is long-term, meaning that the exposure to the dangerous gas was not acute and was for a period longer than a brief or acute period. In Brian's case, it was 11 months, 2 weeks, 1 day exposure to the gas before he left home and was arrested for indecent exposure a day later. A total of 350 days. Short of 365 days which makes a year. Short of 15 days, Defendant was exposed to Carbon Monoxide gas 15 days short of a one year Earth cycle, 365 days on the human calendar.

8. Brian David Hill, the criminal defendant was exposed to the Carbon Monoxide gas between October 5, 2017, the date of when it started after metal tin was installed on top of the chimney flues, and the date of September 20, 2018 late at night when Defendant left the home. The date of October 5, 2017 can be established by questioning the suspect JaCody Cassell in open court under penalty

of perjury. Ordering him to answer these basic questions under penalty of perjury puts him at risk of perjury if he is caught lying in Court. It would motivate him to tell this Court the truth about the date of which he placed the metal tin on top of the chimney flues causing the CO gas to flow through the fireplaces, and was paid $300 by Roberta Hill and by check afterwards. September 20, 2018 late at night is the time when Defendant reportedly left home clothed but was found naked in a public place by Officer Robert Jones (Martinsville Police Department) on September, 21, 2018 still during the nighttime, which Officer Jones had charged Defendant with indecent exposure. See **Exhibit 0**.

9. The term period of carbon monoxide exposure is long-term, meaning that the period of exposure to the dangerous gas was not acute (short period) but was for a period longer than a brief or acute period. In Brian's case, it was 11 months, 2 weeks, 1 day of exposure to the gas before he left home and was arrested for indecent exposure a day later. A total of 350 days. Short of 365 days which makes a year. Short of 15 days of an entire year, Defendant was exposed to Carbon Monoxide gas 15 days short of a one year Earth cycle, 365 days on the human calendar. Element 6 has been satisfied.

Element 7: Defendant is asserting with this Circuit Court that he proffers a criminal defense of involuntary intoxication, involuntary intoxication caused by the long term exposure to Carbon Monoxide, not acute exposure which isn't long term. It is involuntary because Defendant never asked to be poisoned long-term to the Carbon Monoxide gas. Defendant was not aware of being exposed to Carbon Monoxide

until February or March, 2019, while family had visitation with Defendant at the Federal Correctional Institution in Butner, North Carolina during a court ordered mental evaluation. Defendant found out about the carbon monoxide gas after his family told him about the issue, and Defendant informed his family that it may have been what caused the indecent exposure. Family did further research and discovered Defendant had suffered a lot of symptoms during the timeframe period of the Carbon Monoxide exposure. Symptoms such as mental confusion, psychosis, abnormal White Blood Cell (WBC) count, abnormal Mean Platelet Volume (MPV), Sinus Tachycardia, having blackout of memories, feeling like he may have been drugged but didn't know why at the time, fainting or dizzy spell which caused the blood wound of Brian Hill on November 19, 2017 where blood was coming out of the laceration of his head. Defendant believes there is enough evidence for necessary appointment of a Carbon Monoxide expert of some kind necessary to explain to this Circuit Court that Carbon Monoxide gas poisoning, long term, can induce the criminal Defendant with Autism Spectrum Disorder to exhibit a weird abnormal behavior of walking around naked in a public place at night. An expert will be needed to confirm the elements facts of how Carbon Monoxide gas induced the charged indecent exposure behavior of Brian David Hill on September 21, 2018.

10. Brian David Hill the criminal Defendant is asserting as fact in the Circuit Court for the City of Martinsville that he was involuntarily intoxicated due to Carbon Monoxide gas poisoning, and the toxicity effects caused by the gas. Because of the metal tin blocking the exhaust at the chimney flues, the gas exhaust had nowhere to go and flowed through the fireplaces. It is a fact because Defendant exhibited a lot of symptoms of the usual symptoms found in medical patients who are even acutely exposed to Carbon Monoxide gas. For clear and convincing evidence proving acute exposure would require the levels by CarboxyHemoglobin laboratory testing. Carboxyhemoglobin, Blood - Carbon monoxide is the most

common of the gaseous poisons. Malfunctioning or poorly ventilated heating appliances and internal combustion engines are frequent causes of carbon monoxide poisoning. Carbon monoxide combines reversibly with hemoglobin in a manner almost identical to oxygen resulting in a decrease in the amount of oxygen carried by hemoglobin. Accidental poisoning can occur even at low levels (greater than 0.01%) of CO in the atmosphere with prolonged exposure. See link: https://testdirectory.questdiagnostics.com/test/test-detail/309/carboxyhemoglobin-blood?cc=MASTER (Disclaimer: Link provided by Brian's family).

11. It is difficult or impossible for case law authorities examples to be found where involuntary intoxication was ever brought up as a defense to indecent exposure where Carbon Monoxide can induce such behavior. However one case was found where there was a pending indecent exposure charge of somebody living in the household, the same household which has alleged a theory of Carbon Monoxide gas, so there is a correlation there but nobody has ever asserted publicly in a criminal context that indecent exposure can be induced by toxicity aka intoxication caused by Carbon Monoxide Gas exposure, especially prolonged exposure to the gas. See A.M. v. Superior Court of Riverside Cnty., No. E054602, 4 (Cal. Ct. App. Dec. 8, 2011) ("had a criminal record that included a pending indecent exposure case. (Pen. Code, § 314.1.) Mother was scheduled for a psychological assessment, but broke it off and became angry because she thought

the doctor was "'rude.'" The evaluator was able to note that Mother's reaction was "verging on paranoid," and that Mother believed people were "conspiring against her."”). A.M. v. Superior Court of Riverside Cnty., No. E054602, 6 (Cal. Ct. App. Dec. 8, 2011) (“She also theorized that this residence was full of carbon monoxide, which had made her ill.”). The Circuit Court may need to produce new case law authority regarding involuntary intoxication of Carbon Monoxide gas if proved pro-longed exposure to the gas aka long-term exposure to the gas. This issue may be the new wild west of case law which needs to be developed now. New case law may need to be developed on this issue.

12. It is involuntary because Defendant never asked to be poisoned long-term to the Carbon Monoxide gas. Defendant was not aware of being exposed to Carbon Monoxide until February or March, 2019, while family had visitation with Defendant at the Federal Correctional Institution in Butner, North Carolina during a court ordered mental evaluation. See EXHIBIT APPENDIX PG. 54 THROUGH 65 OF 532, **EXHIBIT APPENDIX VOLUME I OF II (Pages 1 – 532)**. Defendant found out about the carbon monoxide gas after his family told him about the issue (See EXHIBIT APPENDIX PG. 322-338 OF 532), and Defendant informed his family that it may have been what had caused the indecent exposure. Family did further research and discovered Defendant had suffered a lot of symptoms during the timeframe period of the Carbon Monoxide exposure.

Symptoms such as mental confusion (addressed in filed: MOTION FOR JUDGMENT OF ACQUITTAL OR NEW TRIAL PURSUANT TO RULE 3A:15 BASED UPON NEW EVIDENCE WHICH DISPROVES THE ELEMENTS OF CHARGED CRIME BY PROSECUTION, EVIDENCE WARRANTING NEW TRIAL OR ACQUITTAL, Page 19 of 77, Page 22 of 77, Page 24 of 77), psychosis (See EXHIBIT APPENDIX PG. 66-71 OF 532), abnormal White Blood Cell (WBC) count (See EXHIBIT APPENDIX PG. 211 OF 532), abnormal Mean Platelet Volume (MPV) (See EXHIBIT APPENDIX PG. 211 OF 532), Sinus Tachycardia (See EXHIBIT APPENDIX PG. 210 OF 532), having blackout of memories (See next paragraph at paragraph 13 for the proof), feeling like he may have been drugged but didn't know why at the time (See next paragraph at paragraph 13 for the proof), fainting or dizzy spell which caused the blood wound of Brian Hill on November 19, 2017 where blood was coming out of the laceration of his head (EXHIBIT APPENDIX PG. 203 OF 532). Defendant assumed that it was a diabetic seizure or low blood sugar, but Roberta Hill was a witness to where the wound was caused and the trail of blood at the time. Defendant's mother Roberta Hill found where he fell in his office, hit his head on part of the desk causing part of it to being damaged. Defendant was found in his bed with blood on the pillow, which meant that Defendant fell unconscious and somehow he was able to still move to his bed where the EMT emergency crew found him with the blood

on the pillow, the laceration where blood came out of his head. Defendant assumed it was diabetic low blood sugar episode but it was actually a fainting spell which can be caused by Carbon Monoxide severe exposure along with tachycardia.

13. See **Exhibit 2**, STATUS REPORT OF PETITIONER SEPTEMBER 27, 2018, RE-MAILED ON OCTOBER 10, 2018. This is a federal affidavit letter statement. Brian said in **EXHIBIT 2**, Case 1:13-cr-00435-TDS, Document 153, Filed 10/17/18, Page 3 of 11, EXHIBIT INDEX PAGE 10 OF 18: "…***At one point I felt like I might collapse so I may have been drugged. I had to keep sitting on benches***". **EXHIBIT 2**, Case 1:13-cr-00435-TDS, Document 153, Filed 10/17/18, Page 2 of 11, EXHIBIT INDEX PAGE 9 OF 18: "On September 20, 2018, Thursday, **some of my memories may have been blacked out**. I was under an extreme amount of stress and anxiety already due to the pre-filing injunction motion...**My mom had also noticed that my doors were not being kept locked**, I was **psychologically afraid to sleep in my bed**. Sometimes **sleeping on the couch and I had a bad feeling something bad would happen to me**.". **EXHIBIT 2**, Case 1:13-cr-00435-TDS, Document 153, Filed 10/17/18, Page 2 of 11, EXHIBIT INDEX PAGE 9 OF 18: "ON SEPTEMBER 18th, 2018, **Somebody was in the thicket at the end of my neighbor's property and branches moved whenever I looked in that direction**. I was around the period when I was mowing the grass between the time period of 1 to 4PM. That was a tuesday. **Likely surveiling me**."

Defendant did also exhibit symptom of irritability as he told Officer Jones "F**k you!" and cussed him out at the time of being arrested. See EXHIBIT INDEX PAGE 13 OF 18, "Case 1:13-cr-00435-TDS Document 153 Filed 10/17/18 Page 6 of 11".

14. The Centers for Disease Control and prevention (CDC) has credible information about symptoms caused by Carbon Monoxide if the levels cannot be determined and documented. See https://web.archive.org/web/20220903230021/https://www.cdc.gov/disasters/co_guidance.html or https://www.cdc.gov/disasters/co_guidance.html. Symptoms of severe CO poisoning include malaise, shortness of breath, headache, nausea, chest pain, irritability, ataxia, altered mental status, other neurologic symptoms, loss of consciousness, coma, and death; signs include tachycardia, tachypnea, hypotension, various neurologic findings including impaired memory, cognitive and sensory disturbances; metabolic acidosis, arrhythmias, myocardial ischemia or infarction, and noncardiogenic pulmonary edema, although any organ system might be involved. Sinus Tachycardia was documented by the hospital on November 19, 2017.

15. Defendant believes there is enough evidence of matching symptoms for Carbon Monoxide gas exposure (tachycardia, psychosis, mental confusion, possibly hallucinations, abnormal White Blood Cell (WBC) count, abnormal Mean

Platelet Volume (MPV)) for necessary appointment of a Carbon Monoxide expert of some kind by this Court or by the Commonwealth Attorney necessary to explain to this Circuit Court that Carbon Monoxide gas poisoning, long term, can induce the criminal Defendant with Autism Spectrum Disorder to exhibit a weird abnormal behavior of walking around naked in a public place at night. An expert will be needed to confirm the elements facts of how Carbon Monoxide gas induced the charged indecent exposure behavior of Brian David Hill on September 21, 2018. Even University professors should take interest and notice of the claims made in this motion. Element 7 has been satisfied.

Element 8: Defendant had filed a complaint against The Chimney Sweep with the Fire Marshals in September, 2019, by fax. Nothing ever panned out from that complaint and request for inquiry/investigation. Defendant found out about the consumer complaint process at the Office of the Attorney General, to protect consumers from fraud and business wrongdoings. Defendant filed a complaint on May 17, 2022. The Chimney Sweep was served with the complaint and attached evidence. They responded through its owner JaCody Cassell who hired a lawyer Eric Ferguson to respond to Defendant's complaint.

16. Defendant had filed a complaint against The Chimney Sweep with the Fire Marshals in September, 2019, by fax (See EXHIBIT APPENDIX PG. 407-415 OF 532). Nothing ever panned out from that complaint and request for inquiry/investigation into that chimney company. Defendant found out about the consumer complaint process at the Office of the Attorney General, to protect

consumers from fraud and business wrongdoings. If a business injuries or kills somebody, it should be of great concern to this Commonwealth and to of Law Enforcement, especially if the company denies ever doing business with a client they injured and almost killed but the signed check record proves the opposite of the lies. Defendant through his mother Roberta Hill filed a complaint on May 17, 2022 (See EXHIBIT APPENDIX PG. 1-113 OF 532, "COMPLAINT FILED BY BRIAN DAVID HILL; w/OAG"). The Chimney Sweep was served with the complaint and attached evidence (See EXHIBIT APPENDIX PG. 114-116 OF 532). They responded through its owner JaCody Cassell who hired a lawyer Eric Ferguson to respond to Defendant's complaint (See EXHIBIT APPENDIX PG. 164-165 OF 532). Claimed the complaint was baseless and denied ever doing an estimate or work for Ms. Hill. However, the telephone phone call logs/records and the signed check from the TRUIST Bank shows the opposite (See EXHIBIT APPENDIX PG. 359-370 OF 532). Because JaCody Cassell was caught lying on two claims on its face in response to the complaint, the Court should consider the entire complaint as true due to lies from the respondent to that complaint as it only accused The Chimney Sweep company under JaCody Cassell of material facts about Brian David Hill and Roberta Hill being poisoned by Carbon Monoxide gas due to installing metal tin on top of the chimney flues, blocking exhaust of gas appliances causing gas to flow through the fireplaces of Apartment 1 and

Apartment 2. All claims in that complaint should be treated as factual by this Court since attorney Eric Ferguson's claim of Defendant's complaint being baseless was based on his client claiming he never did an estimate and never did chimney work for Roberta Hill. The documented evidence records from third parties such as xFinity/Comcast and TRUIST Bank prove that JaCody Cassell is a liar when confronted with the accusations against his company that he or his company poisoned the Defendant and Roberta Hill with carbon monoxide gas by blocking exhaust of the gas. The complaint is true when the accused lies. See EXHIBIT APPENDIX PG. 511-519 OF 532.

17. Mediator Aaron Ziglar of the Office of Attorney General for the Commonwealth of Virginia had warned or advised both parties to the Dispute Resolution Unit case that any responses are voluntary and are not required. Citation of EXHIBIT APPENDIX PG. 114 OF 532: "…participation in our dispute resolution process is voluntary, we do request an acknowledgement of this letter". Defendant had not lied throughout those proceedings, maybe Defendant and Roberta Hill made some hyperbolic rants or political opinions. However, JaCody Cassell did lie and was caught lying throughout those voluntary proceedings. The ones who are caught lying in the face of accusations are usually treated as baseless and treated as though the liar is hiding something and is not being genuine. The complaint was not baseless, JaCody Cassell was baseless in lying in contradiction

to his signed check when he cashed in the $300 from Roberta Hill, on October 6, 2017, a day after he poisoned Brian David Hill and Roberta Hill with carbon monoxide gas by the installation of metal tin on top of the chimney flues. This caused gas to flow through the fireplaces subjecting the residents of both apartments to suffer Carbon Monoxide gas prolonged exposure, long-term. Element 8 has been satisfied.

Element 9: This lawyer, Eric Ferguson, who represented JaCody Cassell had lied to the Dispute Resolution Unit of the Office of the Attorney General. They lied to a Government office, an office under the authority and control of the Attorney General for the Commonwealth of Virginia. They lied to a government agency of this Commonwealth. Here is how it can be proven. Eric claimed his client never conducted an estimate for Roberta Hill, never did any work for Roberta Hill, has no records of any work for Roberta Hill, and cannot remember anything and has no belief of ever doing a job for Roberta Hill involving her chimney in 2017. The attorney also raised the issue that the complaint filer Brian David Hill had waited up till 5 years to file the complaint. Of course the Defendant was not aware of the carbon monoxide until February or March, 2019. Defendant filed a complaint with the Fire Marshals by fax in September, 2019. It proved that Defendant did not wait 5 years before deciding to complain about The Chimney Sweep. The first time he complained was in the same year he found out about the carbon monoxide.

18. This lawyer, Eric Ferguson, who represented JaCody Cassell had lied to the Dispute Resolution Unit of the Office of the Attorney General. They lied to a Government office, an office under the authority and control of the Attorney General for the Commonwealth of Virginia. They lied to a government agency of this Commonwealth. Here is how it can be proven. Eric Ferguson the attorney

claimed his client never conducted an estimate for Roberta Hill (See EXHIBIT APPENDIX PG. 164-165 OF 532), never did any work for Roberta Hill (See EXHIBIT APPENDIX PG. 164-165 OF 532), has no records of any work for Roberta Hill (See EXHIBIT APPENDIX PG. 164-165 OF 532), and cannot remember anything and has no belief of ever doing a job for Roberta Hill involving her chimney in 2017 (See EXHIBIT APPENDIX PG. 511 OF 532). Review the full letter to see what it was talking about (See EXHIBIT APPENDIX PG. 511-519 OF 532). That is a complete lie as he signed a check paid for by Roberta Hill to The Chimney Sweep (See EXHIBIT APPENDIX PG. 513 OF 532, “PAGE 3 OF 9 - LETTER TO DEMETRICE DAVIS AND ERIC FERGUSON 8-30-2022”). That is a complete lie as Cassell’s mobile phone number was in contact with Roberta Hill in both September 26, 2017 and October 5, 2017 (See EXHIBIT APPENDIX PG. 360-361 OF 532, "PAGE 2 OF 12", "PAGE 3 OF 12" - "LETTER TO AARON ZIGLAR AND ERIC FERGUSON 7-7-2022"). See that full letter to see what it was talking about (See EXHIBIT APPENDIX PG. 359-370 OF 532). October 5, 2017 is the exact same day as the date written on the check as photocopied by the bank, in TRUIST bank records (See, EXHIBIT APPENDIX PG. 481-483 OF 532).

19. The attorney also raised the issue that the complaint filer Brian David Hill had waited up till 5 years to file the complaint (See EXHIBIT APPENDIX

PG. 165 OF 532). The lawyer said a claim either wrong or lying for Cassell, he said: "One would think that it would not take 3-5 years to make a complaint." However the complaint to the Fire Marshals faxed by Defendant in September 22, 2019 squashes that claim by Attorney Eric Ferguson, the lying lawyer (See EXHIBIT APPENDIX PG. 401-415 OF 532). Of course the Defendant was not aware of the carbon monoxide until February or March, 2019. Again, Defendant filed a complaint with the Fire Marshals by fax in September, 2019 (See EXHIBIT APPENDIX PG. 407- 415 OF 532). It proved that Defendant did not wait 3-5 years before deciding to complain about The Chimney Sweep. The first time he complained about this chimney company was in the same year he found out about the carbon monoxide. That is due diligence. The Fire Marshals of Henry County and also over Martinsville were negligent and refused to investigate this matter, and refused to ask The Chimney Sweep about the allegations made by Defendant. This is dereliction of duty and proved that Attorney Eric Ferguson lied about Defendant waiting 3-5 years to bring forth a written complaint against The Chimney Sweep. Element 9 has been satisfied.

Element 10: The evidence disproving the lies of JaCody Cassell through his legal counsel Eric Ferguson are the following: (i.) xFinity/Comcast Telephone records of 276-790-3505 in September and October of 2017. In contact with the phone number (540) 483-2468. One phone call contact lasted for the time length period of 3 minutes and 11 seconds. (ii.) Signed bank check record of cashed in check from

Roberta Hill paying $300 by check to The Chimney Sweep, and it was signed for by Cassell. Paid for on October 6, 2017. It is authenticated by TRUIST bank records research.

20. The evidence disproving the lies of JaCody Cassell through his legal counsel Eric Ferguson are of the following: (i.) xFinity/Comcast Telephone records of 276-790-3505 in September and October of 2017. See EXHIBIT APPENDIX PG. 359- 363 OF 532. One phone call contacting Cassell's phone number lasted for the time length period of 3 minutes and 11 seconds, See EXHIBIT APPENDIX PG. 252 OF 532. Would that not be an estimate during the 3 minute 11 second phone call on September 26, 2017, since Cassell was paid $300 on October 5, 2017 paid for his business by name by check, and that check was cashed in on October 6, 2017?

21. There exists proof of the (ii.) Signed bank check record of cashed in check from Roberta Hill paying $300 by check to The Chimney Sweep, and it was signed for by Cassell. Paid for on October 6, 2017. It is authenticated by TRUIST bank records research. See EXHIBIT APPENDIX PG. 480-483 OF 532.

22. At one point the complaint case was closed at the Dispute Resolution Unit on July 18, 2022 due to the lawyer's impatience (EXHIBIT APPENDIX PG. 400 OF 532) and hostility towards Defendant and his mother in the Hills' waiting for the records to produce the photocopy of the signed check. See EXHIBIT APPENDIX PG. 424 OF 523. Saying and I quote: "...The only thing I am

interested in is if The Chimney Sweep did any work for them in 2017. If they have a check, then produce it. If not, then drop this matter." (EXHIBIT APPENDIX PG. 512 OF 532 and EXHIBIT APPENDIX PG. 395 OF 532). Defendant gives appreciation and thanks to his mother Roberta Hill for producing the check and unfortunately this hostile behavior of that lawyer Eric Ferguson refusing to be patient and wait for the records research caused the closure of the complaint. So Defendant filed a second complaint against The Chimney Sweep for lying to the Dispute Resolution Unit, for lying to Aaron Ziglar who works for the Office of Attorney General, who the Attorney General is the chief attorney officer for the Commonwealth of Virginia.

23. See EXHIBIT APPENDIX VOLUME II OF II (Pages 1 – 79), and read the whole new complaint filed against The Chimney Sweep. See EXHIBIT APPENDIX PG. 1 through 79 OF 79. All pages from start to finish to see the new complaint filed on August 16, 2022. That complaint filed by Defendant had not been assigned a case number with the Dispute Resolution Unit as far as Defendant is aware of. Instead the closed complaint was reopened on the new evidence accepting Attorney Eric Ferguson's challenge directed at Defendant saying: "If they have a check, then produce it. If not, then drop this matter". The check had been produced with the handwritten signature of Cassell. This matter of proving the lie as a lie, proving the lie as far as it can go with Defendant's limited resources

at his disposal. Defendant was able to disprove the lies of JaCody Cassell and Eric Ferguson's challenge. Defendant's response to that challenge, "CHALLENGE ACCEPTED!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!". Now back to EXHIBIT APPENDIX VOLUME I OF II (Pages 1 – 532). See EXHIBIT APPENDIX PG. 512 OF 532.

24. Defendant had Roberta Hill email the evidence of the check signed by Cassell directed at Aaron Ziglar. See EXHIBIT APPENDIX PG. 467-472 OF532, and was emailed on August 15, 2022.

25. Like clockwork, the closed complaint case in the Dispute Resolution Unit was reopened (See EXHIBIT APPENDIX PG. 473 OF 532) on August 19, 2022 and response was asked of Mr. Ferguson. Ten business days may have elapsed depending on which business days are counted. Likely, if Attorney Eric Ferguson does not respond at all anymore, then it is clear that the Circuit Court and the Commonwealth's Attorney should intervene, to take notice of the evidence of lying by JaCody Cassell and consider him a suspect of poisoning Brian David Hill and Roberta Hill with carbon monoxide gas on October 5, 2017 by installation of a blocking agent to block the exhaust of natural gas exhaust from gas appliances, causing the gas to flow through the fireplaces. Blocking agent is a metal tin as reported by Pete Compton of ACE Chimney & Wildlife. See EXHIBIT APPENDIX PG. 418 OF 532. It is clear that Defendant isn't just innocent of indecent exposure, innocent of his charge, but the suspect or culprit has been

identified and proven by the exhibits in support of this motion herein. Element 10 has been satisfied.

ALL ELEMENTS HAVE BEEN PROVEN AND SATISIFIED

22. This Circuit Court should treat the entire COMPLAINT (EXHIBIT APPENDIX PG. 1-113 OF 532) by Brian David Hill, the criminal Defendant, as having merit since the owner of The Chimney Sweep had been caught lying even in the face of documentary evidence disproving what Attorney Eric Ferguson told Aaron Ziglar the mediator for the Office of the Attorney General, Dispute Resolution Unit. People who don't lie have nothing to hide. JaCody Cassell has something to hide, the fact that he would lie to an employee of the Commonwealth of Virginia, he would lie to an employee working for the Office of Attorney General. He had been caught lying and attorney Eric Ferguson continues the wall of denials and his client continues the wall of denials. See EXHIBIT APPENDIX PG. 1-104 OF 532, 105-113 OF 532.

23. All elements have been proven in regard to the fact that Defendant had suffered under carbon monoxide gas from October 5, 2017, until September 20, 2018, late at night when he left the home and was found naked on the Dick and Willie passage walking trail on September 21, 2018. There had been news articles

printouts in exhibits to the filed: MOTION FOR JUDGMENT OF ACQUITTAL OR NEW TRIAL PURSUANT TO RULE 3A:15 BASED UPON NEW EVIDENCE WHICH DISPROVES THE ELEMENTS OF CHARGED CRIME BY PROSECUTION, EVIDENCE WARRANTING NEW TRIAL OR ACQUITTAL, Page **44** of **77**, Page **45** of **77**, Page **46** of **77**. Defendant has Autism Spectrum Disorder ("Autism") before, during, and after the time he was accused of indecent exposure. The Defendant's carbon monoxide gas exposure and his Autism are a mixed bag of issues.

24. This Court has nothing to worry about because the source of the carbon monoxide had been removed on January 30, 2019 thanks to Pete Compton of ACE Chimney & Wildlife in Bassett, Virginia (EXHIBIT APPENDIX PG. 418 OF 532). The Court has no need to punish Defendant to deter a behavior which had not been repeated, this is not a serial behavior. Once the carbon monoxide had been removed after Defendant had been away from the carbon monoxide due to his detainment in Martinsville City Jail and in the Feds custody, the behavior had not happened again. This Court has no need to punish the Defendant as there is nothing they need to deter, if that is one of the primary reasons why the Hon. Giles Carter Greer refuses to acquit Brian David Hill out of fear that it could happen again. It has not. It will never happen again. The source of the poisoning has been gone since January 30, 2019, and carbon monoxide detectors have been placed in

Apartment 2 and Apartment 1. The carbon monoxide will never come back again, the Defendant ensures this Court that now that he is aware of the carbon monoxide gas poisoning which induced that behavior, and he will not let it happen again. There is no reason to charge or convict this Defendant with what happened on September 21, 2018 in light of this new evidence. Defendant was involuntarily intoxicated due to the carbon monoxide gas which induced the behavior charged as indecent exposure on September 21, 2018, See **Exhibit 0**.

25. Brian David Hill is actually innocent of all three elements of his criminal charge. The local hospital who gave the erroneous medical clearing did not conduct the laboratory tests ordered on September 21, 2018, after blood was drawn from Defendant's arm. See MOTION FOR JUDGMENT OF ACQUITTAL OR NEW TRIAL PURSUANT TO RULE 3A:15 BASED UPON NEW EVIDENCE WHICH DISPROVES THE ELEMENTS OF CHARGED CRIME BY PROSECUTION, EVIDENCE WARRANTING NEW TRIAL OR ACQUITTAL, Page **37 of 77**, Page **35** of **77**, Page **30** of **77.** Because no laboratory tests were ever conducted by the hospital while police Officer Robert Jones admitted at a federal hearing that they normally do the lab work aka laboratory testing of bodily fluids but he didn't have that because he never asked for the medical records, and no lab work was completed at no fault of Defendant.

26. Defendant wanted a drug test after he was arrested for indecent exposure. Former Assistant Public Defender named Scott Albrecht had been asked by the Defendant for drug tests but Scott Albrecht never subpoenaed the hospital either despite the fact the original charge claimed Defendant was medically and psychologically cleared when he was charged with indecent exposure. It was all ineffective assistance of counsel in violation of the Sixth Amendment of the United States Constitution. See Strickland v. Washington, 466 U.S. 668 (1984), Hill v. Commonwealth, 8 Va. App. 60, 67-68 (Va. Ct. App. 1989) ("(7) Since its enactment, the Supreme Court has had several occasions to discuss the effect of Code Sec. 19.2-317.1 upon the issue of ineffective assistance of counsel. In Frye v. Commonwealth, 231 Va. 370, 345 S.E.2d 267 (1986), the Court said: In view of the seriousness of a charge of ineffective assistance, counsel is entitled to the opportunity to state his reasons for his acts of commission and omission now subjected to challenge. On the other hand, we will not rule as a matter of law, upon this record, that counsel's conduct was consistent with reasonable trial strategy and therefore was not ineffective. We will not impute to counsel a certain rationale and thereby deny the defendant the opportunity to demonstrate, by evidence which might be obtained in a plenary hearing, that counsel had no such tactical basis for his actions. Id. at 400, 345 S.E.2d at 288; see also Correll v. Commonwealth, 232 Va. 454, 470, 352 S.E.2d 352, 362, cert. denied, 107 S.Ct. 3219 (1987) (a claim of

ineffective counsel cannot be resolved on direct appeal "unless counsel charged with ineffectiveness has had an opportunity to defend himself on the record by giving the rationale for his challenged acts of omission or commission"); Beaver v. Commonwealth, 232 Va. 521, 537-38, 352 S.E.2d 342, 351-52, cert. denied, 107 S.Ct. 3277 (1987); Payne v. Commonwealth, 233 Va. 460, 475, 357 S.E.2d 500, 509, cert. denied, 108 S.Ct. 308 (1987); Payne v. Commonwealth, 5 Va. App. 498, 504, 364 S.E.2d 765, 768 (1987). None of these cases has addressed the issue whether the trial court is permitted to take additional evidence to support an allegation of ineffective assistance of counsel.")

27. If the Circuit Court is still not convinced, they should hold an evidentiary hearing, ask the Commonwealth Attorney for a response, and appoint an attorney to represent Defendant in this case to fully demonstrate factual innocence and the merits of his defense to the criminal charge, and is proffered as his involuntary intoxication defense to warrant New Trial in this Court or Judgment of Acquittal to prevent a fundamental miscarriage of justice. Convicting an innocent man of violating the indecent exposure statute is a miscarriage of justice.

LEGAL ARGUMENT AS TO WHY CIRCUIT COURT HAS THE JURISDICTION, AUTHORITY, AND CASE LAW TO JUSTIFY THE RELIEF SOUGHT BY GRANTING THIS MOTION AND EVEN HOLDING AN EVIDENTIARY HEARING

1. The judge's reasoning why possibly considering to deny this type of post-conviction motion: Citation of Rule 1:1 - Finality of Judgments, Orders and Decrees, Va. R. Sup. Ct. 1:1 ("(a)Expiration of Court's Jurisdiction. - All final judgments, orders, and decrees, irrespective of terms of court, remain under the control of the trial court and may be modified, vacated, or suspended for twenty-one days after the date of entry, and no longer. The date of entry of any final judgment, order, or decree is the date it is signed by the judge either on paper or by electronic means in accord with Rule 1:17. (b)General Rule: Orders Deemed Final. - Unless otherwise provided by rule or statute, a judgment, order, or decree is final if it disposes of the entire matter before the court, including all claim(s) and all cause(s) of action against all parties, gives all the relief contemplated, and leaves nothing to be done by the court except the ministerial execution of the court's judgment, order, or decree.").

2. However due to the rights of criminal defendants under the U.S. Constitution and Virginia Constitution, (court rules cannot override the Constitution and its protections of criminal defendants) Rule 1:1 does not bar reopening a final criminal judgment or conviction of a case when new evidence is filed with the Court, evidence that was not previously known or discovered, and evidence which could not have been secured at the time of Trial which would have been December 2, 2019 had the Defendant not withdrawn his appeal. New evidence which proves

that a final judgment is erroneous or that a final judgment cannot be sustained based on new evidence can bring jurisdiction to the Circuit Court to act on a motion challenging a final judgment or criminal conviction. Again see Odum standard: Odum v. Commonwealth, 225 Va. 123, 124 (Va. 1983) and Tweed standard: Commonwealth v. Tweed, 264 Va. 524, (Va. 2002).

3. Also the Supreme Court of Virginia, rules of the Court has a rule on a motion for a new trial or judgment of acquittal if the evidence is enough to show that the Commonwealth cannot sustain a criminal conviction. All elements of a criminal charge must be met before a criminal conviction can be entered constitutionally as part of due process of law. See Rule 3A:15 - Motion to Strike or to Set Aside Verdict; Judgment of Acquittal or New Trial, Va. R. Sup. Ct. 3A:15 ("(c)Judgment of Acquittal or New Trial. The court must enter a judgment of acquittal if it strikes the evidence or sets aside the verdict because the evidence is insufficient as a matter of law to sustain a conviction. The court must grant a new trial if it sets aside the verdict for any other reason.").

4. It is new evidence which could not have been secured in 2019 during the pending criminal charge on Trial De Novo in the Circuit Court, and the jury would never have heard of any of this because it did not have possibly exist at the time. The new evidence which could not have been secured in 2019 which did not exist are the following:

i. The evidence that suspect or culprit JaCody Cassell of business known as The Chimney sweep had lied to the mediator of the Attorney General's office of Dispute Resolution Unit in email to Aaron Ziglar on June 28, 2022 (EXHIBIT APPENDIX PG. 164-165 OF 532). Lied in response to the allegations and COMPLAINT against The Chimney Sweep (See EXHIBIT APPENDIX PG. 1-104 OF 532, 105-113 OF 532).

ii. Defendant and Defendant's mother Roberta Hill had given JaCody Cassell plenty of chances to admit wrongdoing by human error which almost killed Defendant and his mother after both being damaged health-wise and the human error caused damage to Triplex which required expensive repair work. Instead JaCody Cassell and his hired lawyer Eric Ferguson had repeatedly been hostile towards the victim of The Chimney Sweep's human error aka the Defendant and Defendant's mother. Refusing to admit that the business The Chimney Sweep had poisoned Brian David Hill and Roberta Hill with carbon monoxide gas poisoning due to sealing off exhaust from two gas appliances used in the Triplex of both Defendant's and Roberta's home, caused gas to flow through the fireplaces with

white residue left as evidence of the carbon monoxide, long-term.

iii. The complainant had been completely honest with the Office of the Attorney General and honest with The Chimney Sweep that JaCody's business The Chimney Sweep had caused the carbon monoxide by the installation of metal tin on top of the chimney flues.

iv. The Defendant even said in one or more letters (EXHIBIT APPENDIX PG. 428-431 OF 532) and Roberta Hill had said various times in emails from rbhill67@comcast.net to Aaron Ziglar and Eric Ferguson that what The Chimney Sweep had done was a human error (EXHIBIT APPENDIX PG. 527 OF 532, EXHIBIT APPENDIX PG. 488 OF 532). Defendant was being nice by telling the truth and asserting that it was human error. But with the lying by JaCody Cassell, it makes Defendant wonder if it was on purpose, it makes Defendant not trust them.

v. That Defendant will not hold anger or bitterness towards damaging acts done by human error or mistake, but is angry at The Chimney Sweep for simply lying to the

government employee and claiming they never did any work or estimate knowing that he signed a $300 check for the chimney work he claimed he denied ever doing such work.

vi. That his denials and the evidence disproving multiple denials from JaCody Cassell makes him a suspect (whether criminal or civil) in the carbon monoxide poisoning of Brian David Hill since October 5, 2017 until when he was arrested for indecent exposure. The jury would not have known about JaCody Cassell lying in 2019 because he lied in response to Defendant on June 28, 2022. Defendant and Roberta Hill had proven that JaCody Cassell is a liar when he had responded through his legal counsel Eric Ferguson to the allegations filed by Defendant on May 17, 2022. Defendant has proven his claims and elements of involuntary intoxication.

5. Let us examine the Tweed Standard and Odum standards which both have a similar requirement for new trials and judgment of acquittal if the new evidence is enough to disprove the elements of guilt presented by the Commonwealth of Virginia which may require acquittal by dismissal of case.

A PARTY SEEKING A NEW TRIAL LEGAL STANDARDS

6. A party who seeks a new trial based upon after-discovered evidence bears the burden to establish that the evidence (1) appears to have been discovered subsequent to the trial; (2) could not have been secured for use at the trial in the exercise of reasonable diligence by the movant; (3) is not merely cumulative, corroborative, or collateral; and (4) is material, and such as should produce opposite results on the merits at another trial. The litigant must establish each of these mandatory criteria.

7. To satisfy first criteria, the evidence of proving suspect or culprit JaCody Cassell where his business The Chimney Sweep had caused the poisoning of Defendant with carbon monoxide gas originally by human error as stated in the STATEMENT OF THE FACTS was all discovered after the response from suspect or culprit JaCody Cassell on June 28, 2022. He lied in response and those lies have been proven to be lies by both Roberta Hill and Brian David Hill, the Defendant. The lies have been proven which makes this new evidence. Because the Office of the Attorney General represents the Commonwealth of Virginia, the Dispute Resolution Unit is a government office under the authority of the Commonwealth of Virginia. JaCody Cassell the suspect had lied to the Commonwealth of Virginia in response to Defendant's allegations filed on May 17, 2022 that The Chimney Sweep had caused the carbon monoxide poisoning which may be legally considered involuntary intoxication of Defendant prior to the indecent exposure charge of

September 21, 2018, and that intoxication was not disproven due to deletion of laboratory tests ordered on September 21, 2018 but never completed by the local hospital after being ordered. Lab tests would have proven the levels of carbon monoxide poisoning caused by natural gas.

8. To satisfy second criteria, the evidence could not have been secured for use at trial because of ineffective assistance of counsel in violation of the Sixth Amendment of the U.S. Constitution. As well as the evidence could not have been secured for use at trial because JaCody Cassell had lied in 2022, he had lied by attorney Eric Ferguson's response from his client on June 28, 2022. The trial by jury was set for December 2, 2019. All court appointed lawyers Matthew Scott Thomas Clark, Lauren McGarry, and Scott Albrecht did not ever secure any evidence of the suspect or culprit proving that Defendant was involuntarily intoxicated when charged by Martinsville Police. Evidence could not have been secured pro se because at the time a lawyer was appointed, any pro se filings were ignored by the Circuit Court, any evidence filed pro se would have been disregarded and ignored due to counsel being appointed but did nothing to prove Defendant's innocence, it was ignored for a fact. So the evidence could not have been secured prior to trial because of ineffective assistance of counsel and the Circuit Court ignored all pro se motions and ignored all pro se evidence while counsel was appointed. So ineffective counsel is the cause. See: Dominguez v.

Pruett, 756 S.E.2d 911 (Va. 2014). Shaikh v. Johnson, 666 S.E.2d 325 (Va. 2008). See: Byrd v. Johnson, 708 S.E.2d 896 (Va. 2011). If counsel were effective in securing this evidence, Defendant never would have been convicted in the first place because he is factually innocent since he was never truly medically cleared, and he was intoxicated on an involuntary basis. The entire claim by Officer Robert Jones that Defendant was medically and psychologically cleared was based on only a belief, not based on a fact, not based on evidence, not based on the truth, it was only based on a belief by this police officer.

9. To satisfy third criteria, that it "is not merely cumulative, corroborative, or collateral", it is not merely just cumulative, corroborative, or collateral evidence but it proves directly that the suspect or culprit JaCody Cassell had lied when allegations were brought up about his company's (The Chimney Sweep's) involuntary intoxication caused by their human error of placing metal tin on top of the chimney flues without poking any holes or using chicken wire instead to prevent blockage of exhaust of two gas powered appliances such as gas hot water heater and gas radiator/furnace. Human error is not a criminal act with exception to involuntary manslaughter, usually, but lying about a human error is very suspect and paints a picture of mal-intent. It paints a picture that maybe or possibly JaCody Cassell did it on purpose or rather not correct his mistakes by lying instead of simply telling the truth that he made a simple mistake and felt sorry for it. He

should have felt sorry for causing Defendant to have been wrongfully charged and wrongfully convicted. He should feel sorry for all the damage he and his business caused this innocent man. Defendant asks Jesus Christ to make Cassell feel sorry for what he had done and the abuses the Defendant had gone through in the criminal justice system due to Cassell. If Defendant were never exposed to carbon monoxide, this criminal case would not have existed and Defendant never would have been arrested by Officer Robert Jones on September 21, 2018. Cassell does not feel remorse for what he did to Defendant and Roberta Hill. He feels no remorse. JaCody Cassell feels no remorse for his business causing the carbon monoxide gas intoxication for Defendant and his mother. They could have both been killed which could have caused criminal charges against whoever had placed the metal tin, and the blame would be JaCody Cassell and his company The Chimney Sweep. If you describe someone's words or actions as malicious, you mean that they are intended to harm people or their reputation, or cause them embarrassment and upset. Carbon monoxide harmed Defendant and painted him as an indecent exposurer. Defendant only wants justice and an end to his misery.

10. Proving that suspect or culprit JaCody Cassell by his company The Chimney Sweep had caused the involuntary intoxication, first by human error in October 5, 2017, then lying about the entire thing when a complaint is filed with the human error caused allegations, and the lies are disproven with telephone log

records and signed check photocopied by archived records kept by TRUIST Bank. If this Court questions this suspect or culprit JaCody Cassell by his company The Chimney Sweep, if this Court finds that he did caused intoxication of Defendant since October 5, 2017 until he left his home and was arrested for indecent exposure, then Defendant has a genuine criminal defense of involuntary intoxication. Proof of somebody causing involuntary intoxication of a criminal defendant aka another person would disprove the intent element of the criminal charge in **Exhibit 0**, and would disprove the obscenity element of the criminal charge in **Exhibit 0**.

10. "The 'obscenity' element of Code § 18.2–387 may be satisfied when: (1) the accused admits to possessing such intent, Moses v. Commonwealth, 611 S.E.2d 607, 608 (Va. App. 2005)(en banc); (2) the defendant is visibly aroused, Morales v. Commonwealth, 525 S.E.2d 23, 24 (Va. App. 2000); (3) the defendant engages in masturbatory behavior, Copeland v. Commonwealth, 525 S.E.2d 9, 10 (Va. App. 2000); or (4) in other circumstances when the totality of the circumstances supports an inference that the accused had as his dominant purpose a prurient interest in sex, Hart, 441 S.E.2d at 707–08. The mere exposure of a naked body is not obscene. See Price v. Commonwealth, 201 S.E.2d 798, 800 (Va. 1974) (finding that `[a] portrayal of nudity is not, as a matter of law, a sufficient basis for finding that [it] is obscene')." Romick v. Commonwealth, No. 1580-12-4, 2013 WL 6094240, at *2 (Va. Ct. App. Nov. 19, 2013)(unpublished)(internal citations reformatted).

11. To satisfy the last element, "(4) is material, and such as should produce opposite results on the merits at another trial." The last element is satisfied because it is directly material that Defendant was not in his right state of mind due to intoxication. Mens Rea, Latin for the state of mind at the time of an accused offense. While Virginia does not appear to have established a clean definition of criminal intent, Black's Law Dictionary defines it as "[a]n intent to commit an actus reus without any justification, excuse, or other defense.". A criminal defense, if accepted by the Court on the basis of facts and law, is considered factual innocence and meaning that a Court of Law cannot sustain a conviction for a charged crime when an accepted criminal defense is invoked.

12. That criminal defense disproves the intent and obscenity elements in the CRIMINAL COMPLAINT and is the direct elements of alleged guilt charged. It made the Circuit Court and General District Court believe or be given the wrong impression that Defendant was purposefully out nude in public with presumption of good health and was caught by law enforcement, then made claims as to why he was nude out in public which those claims could not be verified and thus Defendant was arrested and treated as though his claims were only a mere excuse as to why he was out there in the nude. The judge didn't believe Defendant at the time. New evidence changes the outcome of facts and law and should change the outcome in this case.

13. However, again it should be noted that Defendant was not medically and psychologically cleared. See MOTION FOR JUDGMENT OF ACQUITTAL OR NEW TRIAL PURSUANT TO RULE 3A:15 BASED UPON NEW EVIDENCE WHICH DISPROVES THE ELEMENTS OF CHARGED CRIME BY PROSECUTION, EVIDENCE WARRANTING NEW TRIAL OR ACQUITTAL, Page **37 of 77**, Page **35** of **77**, Page **30** of **77.** Because no laboratory tests were ever conducted by the hospital while police Officer Robert Jones admitted at a federal hearing that they normally do the lab work aka laboratory testing of bodily fluids but he didn't have that because he never asked for the medical records, and no lab work was completed at no fault of Defendant.

13. Now it is documented by the STATEMENT OF THE FACTS and the 10 elements of the proffered criminal defense that the suspect is JaCody Cassell. If he admits to installment/placement of the metal tin causing the involuntary intoxication by carbon monoxide gas and poisoning of Defendant and his mother Roberta Hill since October 5, 2017, then he becomes a culprit to the malicious act of intoxicating Defendant and Roberta Hill. It is clear after that fact under criminal law that Defendant is actually innocent of indecent exposure and has a laser focused criminal defense to his charge on September 21, 2018, in the General District Court for the City of Martinsville, see **Exhibit 0**. Corpus delicti, in Western law, is the principle that a crime must be proved to have occurred before a person can be

convicted of committing that crime. The person must be proven guilty of all elements of the crime before being convicted of a crime. A criminal defense is a legal justification and good legal reason warranting acquittal rather than conviction. A criminal defense is proven by evidence, proven by circumstances, and can be used at any jury trial if warranted by law. As a matter of law, Defendant is innocent of indecent exposure due to being involuntarily intoxicated. Let us look at the legal standards for involuntarily intoxication.

14. Commonwealth v. Shumway, Criminal Case No.: CR06-2141, 2 (Va. Cir. Ct. Feb. 12, 2007) (“Involuntary intoxication is an exception to the general rule that intoxication does not excuse a crime. Johnson v. Commonwealth, 135 Va. 524, 533, 115 S.E. 673, 676 (1923). "Intoxication is involuntary when drunkenness is produced in a person without his willing and knowing use of intoxicating liquor, drugs, other substance." 2-53 VIRGINIA MODEL JURY INSTRUCTIONS-CRIMINAL INSTRUCTION NO. 53.300 (2006).”). Commonwealth v. Shumway, Criminal Case No.: CR06-2141, 2-3 (Va. Cir. Ct. Feb. 12, 2007) (“The involuntary intoxication defense has two parts. First, the defendant must have been unconsciously or unwillingly intoxicated. According to the Supreme Court of Virginia, the "test of involuntary drunkenness, and the one almost if not quite universally found in the authorities, is the absence of an exercise of independent judgment and volition on the part of the accused in taking the intoxicant - as for

example, when he has been made drunk by fraudulent contrivance of others, by casualty, or by error of his physician." Johnson v. Commonwealth, 135 Va. at 536. Second, involuntary intoxication only "exempts from punishment, if it unsettles the reason." Id. at 534 (citing MINOR, SYNOPSIS OF CRIMINAL LAW). See also, Director of the Department of Corrections v. Jones, 229 Va. 333, 339, 329 S.E.2d 33, 37 (1985)(jury instruction in lower court stated: "if you believe that Joseph Jones: (1) was unwillingly and unknowingly drunk by the fraudulent contrivance of others, and (2) the drunkenness so unsettled Joseph Jones' ability to reason as to prevent him from exercising his own free will, then you cannot find him guilty.").")

15. Commonwealth v. Shumway, Criminal Case No.: CR06-2141, 3 (Va. Cir. Ct. Feb. 12, 2007) ("In Virginia, as well as other states, involuntary intoxication and insanity are separate defenses. The Supreme Court of Virginia acknowledged three possible forms of the intoxication defense in Johnson v. Commonwealth. 135 Va. at 528-533. See also, ROGER GROOT, CRIMINAL OFFENSES AND DEFENSES IN VIRGINIA 325 (4th ed. 1998)("In its leading case, Johnson v. Commonwealth, the Supreme Court recognized three possible forms of an intoxication defense."). The three forms are as follows: 1) voluntary intoxication, 2) involuntary intoxication; 3) "settled insanity produced by drink." Id.").

16. Commonwealth v. Shumway, Criminal Case No.: CR06-2141, 3 (Va. Cir. Ct. Feb. 12, 2007) ("Virginia case law and legal treatises treat the insanity and

involuntary intoxication defenses as separate defenses. See e.g., Honesty v. Commonwealth, 81 Va. 283, 283 (1886)(explaining that for both the insanity and intoxication defenses, the defense must show both the condition and that his condition rendered "him incapable of doing a willful, deliberate and premeditated act."); Baccigalupo v. Commonwealth, 74 Va. 807, 807 (1880)(referring to the two defenses separately). For example, CRIMINAL OFFENSES AND DEFENSES IN VIRGINIA lists intoxication and insanity as separate defenses. See GROOT, supra, at 301 and 325 (1998). See also, 1-31 VIRGINIA CRIMINAL LAW AND PROCEDURE §§31.3 and 31.4 (2005)(the treatise separates the insanity defense (31.4) from the involuntary intoxication defense (31.3)).")

17. Commonwealth v. Shumway, Criminal Case No.: CR06-2141, 3-4 (Va. Cir. Ct. Feb. 12, 2007) ("The two defenses are very similar, however. For the involuntary intoxication defense, the Defendant must show that "his inability to control his conduct meets the M'Naghten test for insanity." 1-31VIRGINIA CRIMINAL LAW AND PROCEDURE §31.3 (2005). Indeed, "[m]ost jurisdictions have adopted the M'Naghten test, under which the Defendant must prove that, as a result of a mental disease, he did not know the nature of the act or that the act was wrong." Id. "Thus, under the modern definition of involuntary intoxication, the only difference between the definition of this defense and insanity is the cause of the condition. 'For the former, a mental disease or defect is required, for the latter,

involuntarily caused intoxication.'" Shawn Marie Boyne & Gary Mitchell, Death in the Desert: A New Look at the Involuntary Intoxication Defense in New Mexico, 32 N.M.L. REV. 243, 254 (2002). The burden of production and persuasion is much lighter for the involuntary intoxication defense than the insanity defense. For the intoxication defense, the Defendant need only introduce "evidence sufficient to warrant an instruction" to satisfy his burden of production and persuasion. 1-60 VIRGINIA CRIMINAL LAW AND PROCEDURE §60.4 (2005). In contrast, for the insanity defense, the Defendant must establish the defense to the "satisfaction of the fact finder." Id. A possible explanation for this disparity is that "it is within the experiential understanding of most jurors to understand how intoxication affects one's thinking. Boyne & Mitchell, supra, at 255. However, jurors have less experience with the level of mental illness that satisfies the legal definition of insanity." Id.")

18. The jury for this Court, if a request for new trial is granted, will be able to hear from the suspect JaCody Cassell and any employees from his company: The Chimney Sweep about intoxicating Brian David Hill and Roberta Hill since October 5, 2017, until the metal tin was removed from the chimney flue by Pete Compton in January 30, 2019. The burden of production and persuasion is much lighter for the involuntary intoxication defense than the insanity defense. For the intoxication defense, the Defendant need only introduce "evidence sufficient to

warrant an instruction" to satisfy his burden of production and persuasion. 1-60 VIRGINIA CRIMINAL LAW AND PROCEDURE §60.4 (2005).

19. Defendant may not have the actual carbon monoxide levels due to deletion of laboratory tests after being ordered by Sovah Health Martinsville at no fault of Defendant, but he has the suspect or culprit for the Court to order his appearance to validate the claims and evidence in this very Motion requesting New Trial or Judgment of Acquittal. The suspect JaCody Cassell should be compelled to speak under oath in this Circuit Court and be compelled in front of a jury to admit or deny Defendant's allegations against his company The Chimney Sweep after being caught lying by Roberta Hill having phone call records/logs from Comcast/xFinity and the signed check from Cassell himself in archive records of TRUIST Bank. She requested the records, Defendant has those records thanks to her.

20. Again, he was not mentally right in the head when he made these statements: Brian said in **EXHIBIT 2**, EXHIBIT INDEX PAGE 10 OF 18, Case 1:13-cr-00435-TDS, Document 153, Filed 10/17/18, Page 3 of 11: "…***At one point I felt like I might collapse so I may have been drugged. I had to keep sitting on benches***". Defendant said he thought he was drugged. And the Commonwealth of Virginia and City of Martinsville, aka the Commonwealth Attorney cannot disprove Brian David Hill may have been on a drug, narcotic, gas, substance,

anything. Defendant also made statements in writing in the year 2018 which had proven to any rational investigator or trier of fact that he was not mentally and medically cleared. **EXHIBIT 2**, Case 1:13-cr-00435-TDS, Document 153, Filed 10/17/18, Page 2 of 11, EXHIBIT INDEX PAGE 9 OF 18: "On September 20, 2018, Thursday, some of my memories may have been blacked out. I was under an extreme amount of stress and anxiety already due to the pre-filing injunction motion...My mom had also noticed that my doors were not being kept locked, I was psychologically afraid to sleep in my bed. Sometimes sleeping on the couch and I had a bad feeling something bad would happen to me.". **EXHIBIT 2**, Case 1:13-cr-00435-TDS, Document 153, Filed 10/17/18, Page 2 of 11, EXHIBIT INDEX PAGE 9 OF 18: "ON SEPTEMBER 18th, 2018, Somebody was in the thicket at the end of my neighbor's property and branches moved whenever I looked in that direction. I was around the period when I was mowing the grass between the time period of 1 to 4PM. That was a tuesday. Likely surveiling me." These statements were written on September 27, 2018. Six days reportedly after Defendant was arrested. Not psychologically cleared, his statements at that time sounded bazaar and goes along with the carbon monoxide gas poisoning (**EXHIBIT APPENDIX PG. 418 OF 532**) theory. Carbon monoxide gas found in Apartment of Brian David Hill has been proven with evidence of Pete Compton witness letter, the photographs of the white residue and damage in Defendant's

apartment and the carbon monoxide gas induced damage had got worse while Defendant was in jails in late September 2018, October 2018, November 2018, December 2018, and January 2019 until the source of the carbon monoxide gas had been removed. The evidence showing the existence of carbon monoxide gas had been proven, the levels had not been documented due to lab work ordered but then deleted from the chart of Defendant's medical records. Covered up by hospital?

21. The burden of proof has been met of involuntary intoxication caused by The Chimney Sweep and under the lies by JaCody Cassell, warranting an evidentiary hearing. Enough proof is being filed with this Court to warrant an evidentiary hearing, and to subpoena this witness either by Court or by the Commonwealth's Attorney.

22. This meets the requirement under the Tweed Standard and Odum Standard (Supreme Court of Virginia) that the evidence could not have been secured or be made available at the time of Trial (Citation in part: "…(2) could not have been secured for use at the trial in the exercise of reasonable diligence by the movant") because at that time it was not in existence until Defendant filed a complaint on May 17, 2022 with the allegations in the office of the Commonwealth of Virginia in its Dispute Resolution Unit, and JaCody Cassell lied and denied everything in response to those allegations on June 28, 2022, that is a fact. The mental evaluator Dr. Rebecca Loehner who conducted the mental

evaluation as ordered by the General District Court in this case, was not aware of Defendant's intoxication under carbon monoxide gas at the time of the mental evaluation. Dr. Conrad Daum was not aware of Defendant's intoxication under carbon monoxide gas at the time of the mental evaluation, but he did suspect enough of something odd to diagnose him with "psychosis" which is a symptom of Carbon Monoxide gas exposure. See EXHIBIT APPENDIX PG. 66-76 OF 532.

23. It is clear that all **STATEMENT OF THE FACTS** and all arguments made in this motion support the relief sought. Either a new trial must be had or judgment of acquittal doing away with this criminal charge as unfounded and cannot legally sustain a criminal conviction as a matter of law. The facts being proven of involuntary intoxication caused by The Chimney Sweep to disprove multiple elements (intent, obscenity) of the prosecution's case by the City of Martinsville and Commonwealth of Virginia warrant that it is an error of fact and error of law to sustain a criminal conviction, because constitutionally the Virginia Constitution and U.S. Constitution requires that all elements of a crime must be met with clear and convincing evidence beyond a reasonable doubt before a jury can convict a criminal defendant. Again, Corpus delicti, in Western law, is the principle that a crime must be proved to have occurred before a person can be convicted of committing that crime. The Defendant is presumed innocent, Defendant was supposed to be presumed innocent until proven guilty beyond a

reasonable doubt. All elements must be met, that is a requirement of case law and constitutional law. All elements have not been met, element of being medically and psychologically cleared has not been met. Elements of obscenity and intent have not been met with the criminal defense of involuntary intoxication caused by The Chimney Sweep and its owner JaCody Cassell who lied to the Commonwealth of Virginia in Dispute Resolution Unit.

24. It is a fundamental miscarriage of justice to convict Defendant any longer in this Circuit Court. The General District Court had no basis to convict the Defendant because all elements of the offense had not been proven by the Commonwealth Attorney. Martinsville Police had the belief Defendant was medically cleared and mentally/psychologically cleared, had the false belief that Defendant was obscene and intentionally committed an actus reus without any justification, excuse, or other defense. That is not true. Beliefs under affidavit by Officer Robert Jones do not make them true.

25. The U.S. Supreme Court has supported the emphasis that all state courts must not convict people who are factually innocent of a crime otherwise it is a clear and convincing miscarriage of justice and actual prejudice against an innocent person. See Schlup v. Delo, 513 U.S. at 327 — 28. Settles v. Brooks, Civil Action No. 07-812, 18 n.6 (W.D. Pa. Jun. 26, 2008).

26. This Court has no right to deny this motion on the procedural default or procedural ground that it lacks jurisdiction using Rule 1:1 of the Rules of the Supreme Court of Virginia as an excuse. The judge cannot deny this motion on the excuse that it claimed it may lack jurisdiction because it would create a fundamental miscarriage of justice and prove the courts are broken convicting innocent people and demanding legal fees be paid by innocent people for crimes they are not guilty of which is contrary to justice and contrary to Constitutional law and remedy. Due process of law requires that this Court corrects its errors of fact and errors of law. It is not justice but it is tyranny to convict innocent people of crimes they are innocent of without mercy.

27. See Settles v. Brooks, Civil Action No. 07-812, 16 (W.D. Pa. Jun. 26, 2008) ("Petitioner counters that this evidence of his actual innocence overcomes the procedural default because to not entertain his **procedurally defaulted claim of actual innocence would result in a complete miscarriage of justice**.").

28. See Constitution of Virginia; Article I. Bill of Rights; Section 8. Criminal prosecutions

CITATION: Section 8. Criminal prosecutions. That in criminal prosecutions a man hath a right to demand the cause and nature of his accusation, to be confronted with the accusers and witnesses, and to call for evidence in his favor, and he shall enjoy the right to a speedy and public trial, by an impartial jury of his vicinage, without whose unanimous consent he cannot be found guilty. He shall not be deprived of life or liberty, except by the law of the land or the judgment of his

peers, nor be compelled in any criminal proceeding to give evidence against himself, nor be put twice in jeopardy for the same offense.

29. See Constitution of Virginia; Article I. Bill of Rights; Section 8. Criminal prosecutions

Section 11. Due process of law; obligation of contracts; taking or damaging of private property; prohibited discrimination; jury trial in civil cases.

"That no person shall be deprived of his life, liberty, or property without due process of law…"

30. Due process of law requires that this Court act on this motion, due process of law requires that the Commonwealth Attorney be ordered to respond to the claims, arguments, and evidence made in this motion. Due process requires that evidence not be ignored by this Court.

31. If a judge ignores the evidence, it is a due process violation. See Hunter v. United States, 548 A.2d 806, (D.C. 1988) ("Because the trial court improperly ignored evidence bearing on appellant's competence to enter a guilty plea, we reverse and remand to the trial court for further proceedings.") Lafferty v. Cook, 949 F.2d 1546, 1555 n.10 (10th Cir. 1992) ("the inquiry on habeas is whether the state court denied the defendant his right to due process by ignoring evidence, including evidence at trial"). Raghav v. Wolf, 522 F. Supp. 3d 534, 538 (D. Ariz. 2021) ("Immigration Court violated his due process rights by ignoring evidence of his conditions in India and erroneously applying the law."). James v. Bradley, 19-

870-pr, 2 (2d Cir. Mar. 31, 2020) ("James brought this action alleging that Bradley violated his right to procedural due process by ignoring evidence at the hearing that purportedly showed that the tested urine was taken from someone other than James.").

32. See Schlup v. Delo, 513 U.S. at 327 — 28. Settles v. Brooks, Civil Action No. 07-812, 18 n.6 (W.D. Pa. Jun. 26, 2008) ("The Supreme Court in Schlup explained that an actual innocence claim in the context of seeking to have a procedural default "forgiven" so as to have the procedurally defaulted claims reviewed on the merits is a "gateway" claim. In other words, the claim of actual innocence in the Schlup context is not a claim that because I am actually innocent by virtue of that fact alone I am entitled to federal habeas relief but, rather, is a claim that contends because I am actually innocent, the court should **forgive my procedural default in the State courts** and **consider my procedurally defaulted claims on their merits.** Schlup, 513 U.S. at 315.")

33. Defendant must be adjudged as acquitted or given a new trial under the Tweed Standard and Odum Standard pursuant to Va. R. Sup. Ct. 3A:15, "Rule 3A:15 - Motion to Strike or to Set Aside Verdict; Judgment of Acquittal or New Trial". Defendant should not be denied relief here. He has disproven two elements of the crime, because Defendant has the proof that he was involuntarily intoxicated by carbon monoxide gas and JaCody Cassell of The Chimney Sweep lied about the

allegations of what started the carbon monoxide intoxication poisoning of Brian David Hill and his mother Roberta Hill since October 5, 2017. Defendant had proven enough to this Court in this motion that the suspect (not culprit unless he has been proven to be the direct culprit or admits to the act) has been identified and proven on the records of the Dispute Resolution Unit of the Office of the Attorney General for the Commonwealth of Virginia. The suspect is JaCody Cassell of The Chimney Sweep who his company started the involuntary intoxication of Defendant from October 5, 2017, until the date of arrest of Defendant, Roberta Hill was still poisoned by the carbon monoxide until; January 30, 2019. Defendant is not guilty of indecent exposure and cannot be convicted because he was not medically cleared and was under involuntary intoxication, and the Commonwealth can never prove otherwise. The Court may have no choice but to subpoena and order this witness: JaCody Cassell to appear before this Court or answer interrogatories to answer questions about him lying to the Office of Attorney General and lying to Defendant's mother Roberta Hill over allegations against The Chimney Sweep filed by Defendant on May 17, 2022. They cannot prove otherwise, Defendant was never guilty and cannot and should not be convicted of indecent exposure regardless of whether it is a local ordinance or state statute. There are legal standards required to secure a criminal conviction of consequences for a crime committed. No crime was committed on September 21, 2018, and no conviction can be secured with three

elements of the charge in jeopardy. Sustaining this criminal conviction is an error of law, error of fact, errors of fact, and is a grave and fundamental miscarriage of justice. It is no justice at all, it is a fabrication of justice, and it is fake justice, not even worthy of a criminal record, not even worthy of State Police notation of a criminal record. Conviction of an innocent man is true obstruction of justice by the Commonwealth.

CONCLUSION

1. It is clear that Defendant was involuntarily intoxicated as caused by The Chimney Sweep on October 5, 2017 and thus was not medically and psychologically cleared, and had no intent and no obscenity as charged on September 21, 2018 as proclaimed in **EXHIBIT 0** ARREST WARRANT and CRIMINAL COMPLAINT.

2. It is clear that not all elements of guilt which was charged are met, referring to the elements of the charged crime presented by the Commonwealth Attorney Glen Andrew Hall representing City of Martinsville and Commonwealth of Virginia. Defendant was not medically and psychologically cleared as charged. Defendant was intoxicated with carbon monoxide gas and that claim cannot be disproven due to destruction of evidence and deletion of evidence by the local hospital at no fault of Defendant. Defendant was not with a clean bill of health. The

officer didn't even subpoena for medical records but asserted under oath or affirmation in CRIMINAL COMPLAINT page 3 that Defendant was medically and psychologically cleared. That was a big fat lie. Officer Jones lied under oath or affirmation or was based on an erroneous belief not based on facts. Defendant was not cleared in the aspect of the charge element. Defendant was intoxicated and that could have been proven had the ordered laboratory tests not been deleted from the chart of his medical records dated September 21, 2018.

3. Because Defendant was not medically cleared and was involuntarily intoxicated by carbon monoxide gas poisoning, intent can never be established even under a trier of fact's broad discretionary powers which such discretion over intent cannot be successfully challenged on appeal alone. However, the evidence that Defendant had psychosis and made paranoid statements and statements of being drugged but lab work which was ordered were deleted by the hospital without a valid explanation or excuse after lab work was ordered on September 21, 2018, on the date of Defendant's arrest. They cannot disprove the carbon monoxide in body of Defendant argument as they do not have the laboratory results. Defendant believes the lab tests would have found the levels of carbon monoxide induced intoxication. Intent can never be proven and any reasonable juror would find that intent cannot be proven without first fully medically and psychologically clearing the Defendant with a clean bill of health which would include completed laboratory

testing and laboratory results. Also the Commonwealth Attorney would have to show any evidence to a jury that there was no carbon monoxide gas long term exposure of Defendant to establish that he was medically cleared. The suspect is JaCody Cassell and there is evidence documented of him lying to the Dispute Resolution Unit of the Commonwealth's Attorney General in response to Defendant's direct allegations against his company had shown a reason to find Defendant not guilty. Since there are no completed laboratory testing and laboratory results, AT THE FAULT OF THE HOSPITAL who gave Officer Robert Jones a false impression or belief that Defendant was medically and psychologically cleared when he in fact wasn't according to the evidence and the passage of Virginia Code § 19.2-271.6 in the year of 2021.

4. Defendant said under federal affidavits that he never masturbated and never had sexual gratification. Defendant also tried to show similar arguments in the General District Court trial that he had no sexual gratification. Defendant never had any sexual gratification because Defendant was involuntarily intoxicated thus not medically and psychologically cleared. Defendant may have been on any street drug or illegal drug or carbon monoxide gas or anything that night at the time he was found naked by Martinsville Police. They never drug tested him but said he was medically and psychologically cleared. That is a proven lie, there is no lab work, and there are no drug tests, no evidence that Defendant had a clean bill of

health, not without the laboratory testings checking the levels of Carbon Monoxide (CarboxyHemoglobin) in his blood. No lab tests were completed, no drug tests were done by Martinsville Police. Defendant can never be proven to have been medically and psychologically cleared as that is a lie, it is only a belief without any supporting evidence proving it. No facts proving medical clearing. Defendant was not cleared and no such impression should have been made of such as that is false statements in a police report. False statements of medical clearing, false statements of being psychologically cleared. It is false at no fault of Defendant. The fault for the carbon monoxide gas poisoning of Defendant and Roberta Hill is none other than The Chimney Sweep, none other than JaCody Cassell who runs the company.

5. The element of Defendant being "medically and psychologically cleared" in **EXHIBIT 0** as charged without clear and convincing evidence by Martinsville Police Department and Sovah Health Martinsville hospital, it was meritless, baseless, frivolous, and without evidence to prove it or support it.

6. The element of Defendant making "an obscene display" in **EXHIBIT 0** as charged without clear and convincing evidence by Martinsville Police Department and Sovah Health Martinsville hospital, it was meritless, baseless, frivolous, and without evidence to prove it. Meritless because obscenity or intent of obscenity cannot be proven without 100% proof of a clean bill of health by the hospital including lab testing results when already ordered and blood already drawn.

7. The element of Defendant intentionally making “an obscene display” in **EXHIBIT 0** as charged without clear and convincing evidence by Martinsville Police Department and Sovah Health Martinsville hospital, it was meritless, baseless, frivolous, and without evidence to prove it. Meritless because obscenity or intent of obscenity cannot be proven without 100% proof of a clean bill of health by the hospital including lab testing results when already ordered, blood drawn.

9. The suspect is JaCody Cassell and he must be questioned by this Court in regards to the evidence cited in and attached in this motion, evidence cited in the Defendant’s complaint. He has a right to plead the Fifth Amendment and have his attorney present, but the Defendant has the evidence that Cassell lied about never doing any work for Ms. Hill and never doing any estimate for Ms. Hill. He must be questioned under oath about his cause of the involuntary intoxication of Defendant.

8. Defendant is innocent, he was not cleared, he was intoxicated, he was not being obscene, and he had no intent. Unless the Commonwealth of Virginia and City of Martinsville can prove otherwise to the claims, Statement of the Facts, Exhibits, and arguments made in this motion, this Court should grant this motion for judgment of acquittal or order a new trial by jury, without any unnecessary delay.

EXHIBITS LIST

EXHIBITS #	PAGES #	DESCRIPTION
EXHIBIT 0	1-4	PHOTOCOPY OF ARREST WARRANT AND CRIMINAL COMPLAINT IN GENERAL DISTRICT COURT - 09-21-2018
EXHIBIT 1	5-6	ORDER IN MISDEMEANOR OR TRAFFIC INFRACTION PROCEEDING
EXHIBIT 2	7-18	STATUS REPORT OF PETITIONER SEPTEMBER 27, 2018, RE-MAILED ON OCTOBER 10, 2018
EXHIBIT APPENDIX VOLUME I OF II (Pages 1 – 532)	1-532, index is five pages (pages 19-550), (index pages incl. 19-555)	EXHIBIT APPENDIX VOLUME I OF II (Pages 1 – 532) 537 pages with Index.
EXHIBIT APPENDIX VOLUME II OF II (Pages 1 – 79)	1-79, index is two pages (pages 550-629), (index pages incl. 555-636)	EXHIBIT APPENDIX VOLUME II OF II (Pages 1 – 79) 81 pages with Index.

636 pages total, EXHIBIT INDEX PAGES

REQUEST FOR COURT TO PROVIDE EQUITABLE RELIEF AND ANY OTHER RELIEF

Therefore, the Defendant prays that this Honorable Court order the following:

1. That the Circuit Court declare or make a factual finding that Defendant was involuntarily intoxicated by carbon monoxide gas at the time of arrest which shows a criminal defense to the three elements (medically cleared, intent, obscenity) of the criminal charge on September 21, 2018 in **EXHIBIT 0** which means that the three elements were meritless, frivolous, baseless, and without clear

and convincing evidence to support that even in light most favorable to the Commonwealth, the evidence is insufficient to sustain a conviction;

2. That the Circuit Court consider ordering a new trial or permanent judgment of acquittal for the criminal charge of Brian David Hill in **EXHIBIT 0**, charged on September 21, 2018, for multiple required elements of guilt lacking the required evidence necessary for a conviction of that charged crime;
3. That the Circuit Court consider the evidence sufficient or order an evidentiary hearing to question JaCody Cassell over the matters of Defendant being involuntarily intoxicated by carbon monoxide gas since October 5, 2017, all the way up until Defendant's arrest on September 21, 2018 while still under the effects of the intoxication at the time of arrest which cannot be disproven without laboratory results;
4. That the Circuit Court consider vacatur or modification of the wrongful conviction dated November 18, 2019 (**EXHIBIT 1**), and consider a New Trial by Jury or Judgment of Acquittal dismissing this case against Brian David Hill with prejudice for lack of evidence to sustain a conviction;
5. That the Circuit Court waive and discharge any and all pending legal fees ever taxed, levied, or ordered against Defendant if the Circuit Court had determined that Defendant is innocent and thus should not be held to pay any fees or fines or any protected SSI disability money since Defendant is innocent;

6. That the Circuit Court waive and discharge any and all pending legal fees ever owed by the Defendant pursuant to all legal matters and cases that had begun from the original charge and prosecution on September 21, 2018, if the Circuit Court had determined that Defendant is innocent and thus should not be held to pay any fees or fines or any protected SSI disability money since Defendant is innocent;
7. That the Circuit Court consider providing any other relief or remedy that is just and proper, in the proper administration of justice and integrity for the Court.

Respectfully submitted with the Court, This the 4th day of September, 2022.

Brian D. Hill
Signed
Brian D. Hill

Brian D. Hill
Defendant
Former news reporter of U.S.W.G.O. Alternative News
Ally of Q
310 Forest Street, Apartment 2
Martinsville, Virginia 24112
(276) 790-3505
JusticeForUSWGO.NL or JusticeForUSWGO.wordpress.com

CERTIFICATE OF SERVICE, CERTIFICATE OF FILING

I hereby certify that a true and accurate copy of the foregoing Motion was faxed or emailed/transmitted by my Assistant Roberta Hill at rbhill67@comcast.net (due to Probation Conditions of not being allowed to use the Internet) or delivered this 4th day of September, 2022, to the following parties:

1. Commonwealth of Virginia
2. City of Martinsville

by having representative Roberta Hill filing his pleading on his behalf with the Court, through email address rbhill67@comcast.net, transmit/faxed a copy of this pleading to the following attorneys who represent the above parties to the case:

Glen Andrew Hall, Esq. Commonwealth Attorney's Office for the City of Martinsville 55 West Church Street P.O. Box 1311 Martinsville, Virginia 24114/24112 Attorney for the Commonwealth Phone: (276) 403-5470 Fax: (276) 403-5478 Email: ahall@ci.martinsville.va.us	Hon. Ashby R. Pritchett, Clerk of the Court Circuit Court for the City of Martinsville Phone: 276-403-5106 Fax: 276-403-5232 55 West Church Street, Room 205 P.O. Box 1206 Martinsville, VA 24114 Email: apritchett@vacourts.gov

The reason why Brian David Hill must use such a representative to serve such pleading with the Clerk on his behalf is because Brian is currently still under the conditions of Supervised Release for the U.S. District Court barring internet usage without permission. Brian's Probation Officer is aware of Roberta Hill using her email for conducting court business concerning Brian Hill or court business with the Probation Office in regards to Brian David Hill. Therefore Roberta Hill is filing the pleading on

Brian's behalf for official court business. Brian has authorized her to file the pleading. All exhibits or any exhibits with anything printed from any internet based service was printed and researched by Roberta Hill.

That should satisfy the Certificate of Service regarding letters/pleadings during the ongoing Covid-19 pandemic. If the Court wishes to contact the filer over any issues or concerns, please feel free to contact the filer Brian David Hill directly by telephone or by mailing. They can also contact c / o Roberta Hill at rbhill67@comcast.net and request that she forward the message and any documents or attachments to Brian David Hill to view offline for his review.

Brian D. Hill
Signed

Brian D. Hill

Brian D. Hill
Defendant
Former news reporter of U.S.W.G.O. Alternative News
Ally of Q
310 Forest Street, Apartment 2
Martinsville, Virginia 24112
(276) 790-3505
JusticeForUSWGO.NL or JusticeForUSWGO.wordpress.com

EXHIBIT 0: PHOTOCOPY OF ARREST WARRANT AND CRIMINAL COMPLAINT IN GENERAL DISTRICT COURT - 09-21-2018

for

attached to: "MOTION FOR JUDGMENT OF ACQUITTAL OR NEW TRIAL PURSUANT TO RULE 3A:15 BASED UPON NEW EVIDENCE WHICH DISPROVES THE ELEMENTS OF CHARGED CRIME BY PROSECUTION, EVIDENCE WARRANTING NEW TRIAL OR ACQUITTAL"
by Brian David Hill

Case no. CR19000009-00, Circuit Court, City of Martinsville, Virginia

Ally of Q, Former news reporter of USWGO Alternative News

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GC19000009 (5)

WARRANT OF ARREST—MISDEMEANOR (LOCAL)

COMMONWEALTH OF VIRGINIA Va. Code § 19.2-71, -72

CASE NO. C18-3158

Martinsville
CITY OR COUNTY

[x] General District Court [x] Criminal [ ] Traffic
[ ] Juvenile and Domestic Relations District Court

Martinsville [x] City [ ] County [ ] Town

TO ANY AUTHORIZED OFFICER:

You are hereby commanded in the name of the Commonwealth of Virginia forthwith to arrest and bring the Accused before this Court to answer the charge that the Accused, within this city or county, on or about 09/21/2018 (DATE) did unlawfully in violation of Section

13-17/18.2-387, Code or Ordinances of this city, county or town: intentionally make an obscene display of the accused's person or private parts in a public place or in a place where others were present.

I, the undersigned, have found probable cause to believe that the Accused committed the offense charged, based on the sworn statements of

SGT. R.D. JONES MPD, Complainant.

Execution by summons [ ] permitted at officer's discretion. [x] not permitted.

09/21/2018 05:35 AM
DATE AND TIME ISSUED

Courtney D. Reid
[ ] CLERK [x] MAGISTRATE [ ] JUDGE
Courtney D. Reid

Case Appealed Please Remove #

CORE May be required

VIRGINIA
In the Office of Martinsville Circuit Court
Clerk's Office.
Received and Filed this the
9th Day of January 2019
at 12:21 P. M.
Teste: [signature] C.

DNA SAMPLE # (ON FILE)

ACCUSED:
Hill, Brian David
LAST NAME, FIRST NAME, MIDDLE NAME
310 Forest St Apt 2
ADDRESS/LOCATION
Martinsville, VA 24112

To be completed upon service as Summons
Mailing address [ ] Same as above
[ ]

RACE	SEX	BORN MO. DAY YR.	HT. FT. IN.	WGT.	EYES	HAIR
W	M	05/26/1990	6' 00"	150	BLU	BRO

SSN [redacted]0319
DL# STATE
[ ] Commercial Driver's License

CLASS 1 MISDEMEANOR

[ ] EXECUTED by arresting the Accused named above on this day:
[ ] EXECUTED by summoning the Accused named above on this day:
[ ] For legal entities other than individuals, service pursuant to Va. Code § 19.2-76.

9/21/18 0538
DATE AND TIME OF SERVICE
R Jones, ARRESTING OFFICER
22 MPD 113
BADGE NO., AGENCY AND JURISDICTION
for
SHERIFF

Attorney for the Accused:
Pub. Def.

Short Offense Description (not a legal definition):
INDECENT EXPOSURE

Offense Tracking Number:
690GM1800003560

FOR ADMINISTRATIVE USE ONLY
Virginia Crime Code:
OBS-3713-01

L

9-21-18
4:00 pm

Hearing Date/Time
10-05-18 (BH)
3:00pm
12-21-18
10:45 am

LOCAL

FORM DC-315 (MASTER, PAGE ONE OF TWO) 07/11

The Accused was this day:
[ ] tried in absence [✓] present

[✓] PROSECUTING ATTORNEY PRESENT (NAME) Hall

[✓] DEFENDANT'S ATTORNEY PRESENT (NAME) Alcalde

[ ] NO ATTORNEY [ ] ATTORNEY WAIVED
[ ] If convicted, no jail sentence will be imposed

[ ] INTERPRETER PRESENT

[ ] Certified pursuant to § 19.2-190.1.

Plea of Accused:
[✓] not guilty [ ] Witnesses sworn
[ ] nolo contendere
[ ] guilty [ ] Plea voluntarily and intelligently entered after the defendant was apprised of his right against compulsory self-incrimination and his right to confront the witnesses against him.
[ ] Plea and Recommendation

And was TRIED and FOUND by me:
[ ] not guilty [✓] guilty as charged
[ ] guilty of .....
VCC .....
[ ] facts sufficient to find guilt but defer adjudication/disposition to ..... DATE AND TIME and place accused on probation, §§ 4.1-305, 18.2-57.3, 18.2-251 or 19.2-303.2.
[ ] A separate order for First Offender is attached and incorporated in this order.
[ ] Costs imposed upon defendant.

..... DATE _____ JUDGE

And was FOUND by me to be:
[ ] driving a commercial motor vehicle
[ ] carrying hazardous materials
[ ] I ORDER a nolle prosequi on prosecution's motion
[ ] I ORDER the charge dismissed [ ] with prejudice
[ ] conditioned upon payment of costs and
[ ] successful completion of
[ ] traffic school
[ ] mature driver school, § 16.1-69.48:1.
[ ] accord and satisfaction, § 19.2-151.
[ ] under §§ 4.1-305, 18.2-57.3, 18.2-251 or 19.2-303.2.

[ ] Guilty – upon a violation of a term or condition of a deferred adjudication/disposition.

I impose the following Disposition:
[ ] FINE [ ] CIVIL PENALTY of $ .....
with $ ..... suspended
[✓] JAIL SENTENCE of 30 days imposed, [ ] of which ..... days mandatory minimum, with ..... suspended for a period of ....., conditioned upon being of good behavior, keeping the peace, obeying this order and paying fines and costs. Credit is allowed pursuant to § 53.1-187 for time spent in confinement.
[ ] Serve jail sentence beginning .....
[ ] on weekends only
[ ] Work release [ ] authorized if eligible [ ] required
[ ] not authorized
[ ] Public work force [ ] authorized [ ] not authorized
[ ] on PROBATION for .....
[ ] VASAP [ ] local community-based probation agency
[ ] Monitoring by GPS/other tracking device
[ ] DRIVER'S LICENSE suspended for .....
[ ] Restricted Driver's License per attached order
[ ] Ignition Interlock for .....
[ ] RESTITUTION order incorporated
[ ] Restitution payment is a condition of suspended sentence
[ ] COMMUNITY SERVICE ..... hours to be completed by .....
and supervised by .....
[ ] to be credited against fines and costs
[ ] Contact prohibited between defendant and victim/ victim's family or household members
[ ] Other: .....
.....
[ ] Reimburse Commonwealth for investigatory medical fees
[ ] Pay $50 to the Court for Trauma Center Fund
[ ] Bail on Appeal $ .....
[ ] Remanded for [ ] CCRE Report [ ] ..... appealed 12-28-15

DRIVER'S LICENSE/PRIVILEGE TO DRIVE IN VIRGINIA SUSPENDED EFFECTIVE IN 30 DAYS IF FINES, COSTS, FORFEITURES, PENALTIES OR RESTITUTION ARE NOT PAID. Va. Code § 46.2-395.

12-21-2015 DATE _____ JUDGE

Offense Tracking Number: 690GM1800003560

FINE

..... LOCALITY $ —

COSTS

223	LIQUIDATED DAMAGES	
461	FIXED MISD FEE	61-00
462	FIXED DRUG MISD FEE	
001	INT CRIM CHILD FEE	15-00
113	WITNESS FEE	
113	IGNITION INTERLOCK	
113	DUI FEE	
113	DNA	38-00
121	TRIAL IN ABSENCE FEE (233)	15-00
133	BLOOD TEST FEE	
137	TIME TO PAY	10-00
192	TRAUMA CENTER FEE	
202	WITNESS FEE	
217	CT. APPT. ATTY	120-00
228	COURTHOUSE CONSTRUCTION FEE	
234	JAIL ADMISSION FEE	25-00
243	LOCAL TRAINING ACADEMY FEE	
244	COURTHOUSE SECURITY FEE	10-00
	OTHER (SPECIFY): 241	5.00
	TOTAL	$ 299-00

[ ] Stay of the proceedings pursuant to § 16.1-131.1

..... DATE _____ JUDGE 2855

CRIMINAL COMPLAINT

RULES 3A:3 AND 7C:3

Commonwealth of Virginia

Martinsville
CITY OR COUNTY

[X] General District Court
[ ] Juvenile and Domestic Relations District Court

Under penalty of perjury, I, the undersigned Complainant swear or affirm that I have reason to believe that the Accused committed a criminal offense, on or about

09/21/2018 in the [X] City [ ] County [ ] Town
DATE OFFENSE OCCURRED

of Martinsville

I base my belief on the following facts: (Print ALL information clearly.)

On the above date I responded to the area of Pine St. at the steps for the Dick and Willie Trail due to a naked white male that had been seen running on Hooker St from Church St. Officers were in the area of Hooker St and had not located the male. I walked down the steps to the trail where i herd foot steps coming towards me. I could see a person walking on the trail and they stopped. I signed my light on the male and he turned and ran. He was naked except for his shoes and socks. The male had items in his hand when he ran. I chased the suspect off the left side of the trail down a bank and into the creek. I was yelling stop and show me your hands during the chase. When the male was detained he was read Miranda and started talking about a black male in a hoodie made him get naked and take pictures of himself. He was transported to the hospital due to knee pain. While at the Hospital he stated that he was alone when he took the photos of himself and he gave Ofc. Warnick premising to view his camera. On the Camera was several photo of himself naked around the city. He was medically and psychologically cleared. He was arrested for indecent Exposure. Mr. Hill's clothing was located in his bag. All took place in the city.

The statements above are true and accurate to the best of my knowledge and belief.

In making this complaint, I have read and fully understand the following:
By swearing to these facts, I agree to appear in court and testify if a warrant or summons is issued.
The charge in this warrant cannot be dismissed except by the court, even at my request.

Sgt. R. Jones #220
NAME OF COMPLAINANT (LAST, FIRST, MIDDLE)
(PRINT CLEARLY)

SIGNATURE OF COMPLAINANT

Subscribed and sworn to before me this day.

09/21/2018 05:35 AM
DATE AND TIME

Courtney D. Reid
[ ] CLERK [ ] MAGISTRATE [ ] JUDGE

x

CRIMINAL COMPLAINT

ACCUSED: Name, Description, Address/Location

Hill, Brian David
LAST NAME, FIRST NAME, MIDDLE NAME

310 Forest St Apt 2

Martinsville, VA 24112

COMPLETE DATA BELOW IF KNOWN

RACE	SEX	BORN Mo.	BORN DAY	BORN YR.	HT. FT.	HT. IN.	WGT.	EYES	HAIR
W	M	05	26	90	6	0	150	BLU	BRN

SSN
[redacted]0319

[ ] Complainant is not a law-enforcement officer or animal control officer. Authorization prior to issuance of felony arrest warrant given by
[ ] Commonwealth's attorney
[ ] Law-enforcement agency having jurisdiction over alleged offense

NAME OF PERSON AUTHORIZING ISSUANCE OF WARRANT

DATE AND TIME AUTHORIZATION GIVEN

13-17 Indecent Exposure

EXHIBIT 1: ORDER IN MISDEMEANOR OR TRAFFIC INFRACTION PROCEEDING

for

attached to: "MOTION FOR JUDGMENT OF ACQUITTAL OR NEW TRIAL PURSUANT TO RULE 3A:15 BASED UPON NEW EVIDENCE WHICH DISPROVES THE ELEMENTS OF CHARGED CRIME BY PROSECUTION, EVIDENCE WARRANTING NEW TRIAL OR ACQUITTAL"

by Brian David Hill

Case no. CR19000009-00, Circuit Court, City of Martinsville, Virginia

Ally of Q, Former news reporter of USWGO Alternative News
JUSTICEFORUSWGO.WORDPRESS.COM







ORDER IN MISDEMEANOR OR TRAFFIC INFRACTION PROCEEDING

Case No. CR19000009-00

MARTINSVILLE CIRCUIT COURT Circuit Court

MARTINSVILLE

v.

BRIAN DAVID HILL

310 FOREST ST,APT 1

MARTINSVILLE, VA. 24112

COMPLETE DATA BELOW IF KNOWN

RACE	SEX	BORN MO.	BORN DAY	BORN YR.	HT. FT.	HT. IN.	WGT.	EYES	HAIR
W	M	05	26	1990	6	00	150	BL	BR

SSN: [redacted]-0319

SEPTEMBER 21, 2018 OFFENSE DATE

NOVEMBER 15, 2019 TRIAL DATE

The Defendant was this day [ ] tried in absence [x] present

Attorney: CLARK, MATT [x] Appointed [ ] Retained

Original Charge: INDECENT EXPOSURE

Code Section: 18.2-387 [ ] State Code [x] Local Ordinance

Virginia Crime Code: OBS-3713-O1 Offense Tracking Number: 690GM1800003560

Plea:

[x] Not Guilty
[ ] Guilty as Charged
[ ] Guilty to Amended Charge
[ ] Nolo Contendere

[ ] Consent by Defendant to Waiver of Jury
[ ] Concurrence of Court and Commonwealth's Attorney
[ ] Plea voluntarily and intelligently entered after defendant was apprised of his right against compulsory self-incrimination, right to confront the witnesses against him, and right to a jury trial.

Charge: INDECENT EXPOSURE

Code Cite: 18.2-387 Virginia Crime Code: OBS-3713-O1

Finding:

[ ] Not Guilty [ ] Guilty of .....
[ ] Guilty as Charged [ ] Plea Agreement Accepted [x] Appeal/Withdraw/Affirm [ ] Appeal not timely filed
[ ] Facts sufficient to find guilt but defer adjudication/disposition to ..... DATE AND TIME

Charge: INDECENT EXPOSURE

Code Cite: 18.2-387 Virginia Crime Code: OBS-3713-O1

Order:

[ ] Nolle Prosequi [ ] Dismissed [ ] Dismissed with Prejudice [ ] Continued to ..... DATE AND TIME [x] COSTS imposed

[ ] FINE [ ] CIVIL PENALTY of $ ..... with $ ..... suspended

[x] JAIL SENTENCE of 30 DAYS imposed, [ ] of which ..... days mandatory minimum, with ..... suspended for a period of ....., conditioned upon being of good behavior, keeping the peace, obeying this order and for paying fines and costs.

Credit is allowed pursuant to § 53.1-187 for time spent in confinement.

[ ] Serve jail sentence beginning ..... [ ] on weekends only

[ ] Work release [ ] authorized if eligible [ ] required [ ] not authorized [ ] Public work force [ ] authorized [ ] not authorized

[ ] on PROBATION for ..... [ ] VASAP [ ] local community-based probation agency

[ ] DRIVER'S LICENSE suspended for .....

[ ] Restricted Driver's License per attached order [ ] Ignition Interlock for .....

[ ] Attached ORDER FOR RESTITUTION incorporated.

[ ] COMMUNITY SERVICE ..... hours to be completed by ..... and supervised by .....
[ ] to be credited against fines and costs

[ ] Contact prohibited between defendant and victim/victim's family or household members

[ ] Reimburse Commonwealth for investigatory medical fees [ ] Pay $50 fee to the Court for Trauma Center Fund

[ ] Registration pursuant to Code § 9.1-903 for offenses defined in § 9.1-902 is required.

[ ] Remanded for [ ] CCRE Report [ ] .....

[ ] Bail on Appeal $ .....

[x] Other: DEF ~~CHANGED HIS PLEA TO GUILTY AND~~ AFFIRMED JUDG GDC, PAY COURT COSTS.

11/18/19
DATE

JUDGE

2858

FORM CC-1392 MASTER 07/19

EXHIBIT 2: STATUS REPORT OF PETITIONER SEPTEMBER 27, 2018, RE-MAILED ON OCTOBER 10, 2018

for

attached to: "MOTION FOR JUDGMENT OF ACQUITTAL OR NEW TRIAL PURSUANT TO RULE 3A:15 BASED UPON NEW EVIDENCE WHICH DISPROVES THE ELEMENTS OF CHARGED CRIME BY PROSECUTION, EVIDENCE WARRANTING NEW TRIAL OR ACQUITTAL"

by Brian David Hill

Case no. CR19000009-00, Circuit Court, City of Martinsville, Virginia

Ally of Q, Former news reporter of USWGO Alternative News
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IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA
Durham Division



Brian David Hill,
Petitioner
v.
United States of America,
Respondent

Case # 1:13-CR-435-1
1:17-CV-1036

STATUS REPORT OF PETITIONER SEPTEMBER 27, 2018

I, Brian David Hill ("Brian D. Hill", "Petitioner"), in this § 2255 case, acting pro se in this manner, files this status report and Declaration updating the court for this case. Because of the current situation described herein, Petitioner requests a court appointed lawyer.

DECLARATION

I Brian D. Hill produce these statements, subject to the penalties of perjury under U.S. Code:

(1.) I am currently in Martinsville City Jail over a local criminal case and situation where it must be disclosed to the habeas court over what actually happened. Petitioner believes it is connected over the matter concerning and effecting this § 2255 case.

(2.) ON SEPTEMBER 18th, 2018, Somebody was in the ~~the~~ thicket at the end of my neighbor's property and branches moved ~~that~~ whenever I looked in that direction. I was around the period when I was moving the grass between the time period of 1 to 4PM. That was a Tuesday. Likely surveiling me.

(3.) On September 19, 2018, Wednesday, I called into a political talk show after Sandra Wilson invited me to call into a Family Court issues type of show on Blog Talk Radio, by a I believe it was a woman named Valerie K. Lazarus (hope I spelled it right). Told her about the fraud on the court concerning this case. We also spoke about the Americans with Disabilities Act and the one woman said how if I ~~Have~~ had an IEP when I was in school, then they (I assume she meant police) can (or may) get in trouble for violating the Americans with Disabilities Act the way it was handled in regards to my criminal case.

(4.) On September 20, 2018 Thursday, some of my memories may have been blacked out. I was under an extreme amount of stress and anxiety already due to the pre-filing injunction Motion. My whole family could tell. My mom had also noticed that my doors were not being kept locked. I was psychologically afraid to sleep in my bed. Sometimes sleeping on the couch and I had a bad feeling something bad would happen to me.

I was able to go the Massanutten Resort from Monday to Thursday last week in Rockingham County, VA, in my district. I think it was between Sept. 10 through 13/2018 if I am correct from memory. My family noticed that I didn't want to go back home. As if something was terrifying in my psychological mind, and I haven't kept my door or doors locked. Around 11 I went walking beside the road on the sidewalk and as I was around a warehouse or some kind of building, near or around the Martinsville VA downtown area ~~Area~~ near the hiking trail of "Dick and Willie", I was approached by a man in a hoodie probably some time between 11 to 12 that night. I think maybe between 5 to 6 feet tall, maybe white told me "You ~~[redacted]~~ had better take your clothes off in public and take pictures of yourself and place the SD card around the bench after the bridge..." "...or [redacted] they [redacted] would kill my mom Roberta Hill". At one point I felt like I might collapse so I may have been drugged. I had to keep sitting on benches. I didn't want my mother to be killed. My weakness is my Mother. I gave a false confession in 2017 because of being told "You better fess up or else your mother would be held responsible." Whoever threatened me that night knew my weakness. If I walk to the police or don't do what that man said would my mom be shot full of holes while sleeping and killed?

be

3

I didn't Know what to do, I Kinda lost my mind when taking pictures of myself. If I didn't put on a good show would my mother be Killed like the stuff in Hollywood action movies. I had a feeling it had something to do with the things brought up in my case. The threats from torrmail.org messages which were successfully carried out. I Knew I couldn't mess with these people with a threat that serious. Out of fear and desperation I walked were vehicles would see me with a hand gesture of my hand over my mouth. I was naked on the trail. I was trying to signal with that hand gesture that I was in trouble. I decided not to place the SD card at the bench as how would they Know? Maybe I could still go to the police and warn my mom. As I was walking back I saw a truck with a spotlight on me with no way to tell who it was. I was scared so I ran and then noticed a red lazer beam light like what private mercenaries, bad guys and good guys all have. A light came on with a guy yelling at me. I didn't Know who he was. I was scared it was them going to kill me for not exactly following the hoodie guys directives. I ran fell down the left side slope of the trail getting cuts and scrapes all over my body until I fell in the ~~river~~ bed creek bed. They were down there and at that point I realized they were police.

4

I said over and over again while complying "I have Autism, I have Autism, I have Autism, I have Autism." I felt they couldn't hear me out. I said "I was attacked" told Sgt. R.D. Jones that I need to speak with a detective. It was probably around 3 to 4 AM at around Friday, September 21, 2018. He asked me why I was naked on the trail. I tried to explain to him as much of what happened as I could. He mistook my statement of heading towards the YMCA building with the warehouse and I told him "You don't understand Autism." maybe "are you trained in Autism?" Sgt. R.D. Jones said "how do I know you even have Autism." I responded with "Dennis Debbaut a law enforcement trainer. He did a white paper. People with Autism can give false confessions and misleading statements. Officer you misunderstood what I said about the YMCA building." after or before my answer to his "how do I know you even have Autism" was "it was in federal court records." He gave me that look where he didn't want to accept anything I said. He even said "If your lying to me, I will charge you with making (or filing) a false report!" I looked at him straight in the eyes and said I am not lying. even told him something about "am I supposed to let my mother be killed" or something to that effect. He still wouldn't accept what I had told him. I then told him "You don't understand Autism. You are violating title II of the Americans with Disabilities Act."

5

I was being charged with "indescent exposure". I further told Sgt. R.D. Jones that I was going to win the jury trial and sue him for violating the ADA. Arguement escalated to me saying to him "Fu*k You". At one point things caled down and I was in front of the TV with a Magistrate. She, the Magistrate, brought up about my federal criminal conviction and my 2015 Probation Violation. I explained to her that the case is under a habeas corpus 2255 review for my claim of ~~"actual innocence"~~ "actual innocence" or something to that effect. She assumed that it was some kind of an appeal. Told her that the probation violation was over U.S. Probation Officer Kristy L. Burton making false statements, which is perjury and may have mentioned that Anand Prakash ~~Jones~~ Ramaswamy committed subornation of perjury, gave her the federal case number. Also mentioned about fraud on the court. I was given no bond that day. Was charged in Martinsville General District Court, Case no. C18-3138. It might be named as Commonwealth of Virginia v. Brian David Hill. At one point I told Sgt. Jones that "you aren't doing anything about the drug dealers in my (or our) neighborhood" that the FBI aren't doing anything about the threats, I don't trust the police.

(5) On September 26, 2018, I had filed a request form for the jail directing that it be forwarded to MPD Sgt. R.D. Jones with more statements incl. a Declaration as evidence.

6

2865

I explained that witness Roberta Hill had received a threatening "greeting card" postmarked Tennessee, she received some point (or some time) this year. It had no return address. Gave the officer her phone number.

Then I said under Declaration on the back of that "Request for Interview" form that my first received tormail.org message said that I was set up with child porn, that Alex Jones... (e) and others were next. my friends

(e) Some information omitted

I gave this federal criminal case number, cited Document #46 Declaration of Susan Bashe. Then told him in writing about the threatening message that was reported to J. Joy Strickland counsel to the N.C. Department of Justice. I explained that one part of the threatening email message said that I would be set up with violent sex crimes if I don't watch my back. If my mother being killed if I didn't walked naked in public and take pictures, the "indecent exposure" charge may legally be defined as a "violent sex offense". The threats went from tormail.org to being physical. I was set up with the violent sex crime of "indecent exposure" just like the 2013 tormail threat said would happen.

While I am incarcerated my diabetic blood sugar reads are getting a lot of highs right now. In the 300's 400's and 500's. I am suffering nerve pain, and other bad effects of high blood sugar.

7

2866

The Court may request a copy of my September 26 2018 filed "Request for interview" form from Martinsville VA City Jail at P.O. Box 1326 Martinsville VA 24112 or at 300 Clearview Drive same city. That way that can expand the record for this § 2255 case.

(6) Petitioner requests that an attorney be appointed at this interval for his 2255 case since this incarceration is at a facility that:

(1) Has no law library. The Public Defender in Martinsville cannot represent me for this 2255 a case;

(2) Paper and resources are highly limited as per Jail's "rules and regulations". Stamps and envelopes also limited. I won't be able to make valid pleadings compliant with this Court's rules while incarcerated and very limited access to resources needed for this case. I won't be able to properly cite court rules case law, and statutes while incarcerated; or may

(3) While incarcerated I will not be able to bring up evidence if the habeas court requests;

(4) Be at a large disadvantage which deprives me of due process under the 14th Amendment of U.S. Constitution. Being deprived of my ability to prove factual innocence in my 2255 case.

If the court cannot appoint court appointed counsel for this 2255 case, alternatively Petitioner asks this honorable Court to delay this 2255 case until Petitioner is not under incarceration.

8

(7) I make this PROCLAMATION to the hon. Court, to my Mother and family, to the U.S. Probation office, and to Martinsville District Court. The incident of "indecent exposure" is considered isolated and out of character. I swear under Oath that it will never happen again. Charge is of a technical nature. I was threatened to get naked. I never masturbated, it was a crazy incident. Whoever threatened me needs to be charged and arrested. My mother hates me over what happened. I'm sorry mom I was scared and didn't know what to do. I didn't want my mom to die. I am sorry for leaving around 11. The threats coming at me, the fear, the bad feeling in my gut. Next time I'm threatened I will report to police state police, and FBI. What I did on the hiking trail and leaving without telling my mom will never ever happen again. I'm tired of the Legal Terrorism, the criminal threats, and being afraid. I just want to prove my actual innocence and move on with my life. I am tired of feeling afraid for my family and my life. It's tearing me apart. My family can tell my health is degrading. I provided so much evidence to the Habeas Court, please let me prove my innocence, have an evidentiary hearing. I have facts of innocence. Let me prove it. People with Autism can be manipulated, easily threatened, abused.

(8) Before this charge, I was working on a Rule 11 Motion for sanctions, case law Chambers v. Nasco Supreme Court case (fraud on the court), and citing state bar rule 3.8. I was going to show fraud on the court in the Respondent's factual basis of guilt, in their pre-filing injunction motion, and in the motion to dismiss.

9

I wanted to show the fraud on the court by Respondent ~~Respondent~~ give them 21 days (maybe 25 days) to respond before filing, then the court can decide under Chambers v. NASCO whether Respondent's Motions should be summarily denied. Subornation of perjury by Anand P. Ramaswamy is already a fraud on the Court in 2015. Respondent's resistance to me proving my innocence clearly violates Rule 3.8 of the state's Model Rules of Professional Conduct N.C. State Bar. Rule 11 sanctions may be appropriate. I will serve them a rule 11 motion copy once released from jail. To resolve the issues between Respondent and Petitioner, Petitioner requests that the U.S. Attorney General appoint special counsel to represent Respondent for this § 2255 case.

Thank You!

I declare under penalty of perjury that the foregoing is true and correct. Executed on September 27, 2018.

Respectfully filed with the court, this the 27th day of September, 2018. Brian D. Hill signed

CERTIFICATE OF SERVICE

Petitioner certifies that he dropped this status report in the Jail institution's mailbox on September 27th 2018, addressed to the Clerk, respectfully requests that all parties to the case are served by CM/ECF or by U.S. mailing. Petitioner asks Clerk to mail ~~se~~ letter certifying receipt of this pleading.

10

Brian D. Hill
Signed

Brian David Hill
Martinsville City Jail
P.O. Box 1326
Martinsville VA 24112

Clerk: Please send letter confirming receipt.

Declaration and reCertificate of service

Brian David Hill v. United States October 10, 2018

I Brian David Hill had mailed the wrong address and ~~is~~ refiling the "Status Report of Petitioner September 27, 2018" on October 10, 2018. The address was mailed to 324 W. Market Street, Suite 1 Martinsville VA 24112. That address was incorrect. It should have been 324 W. Market Street, Suite 1, Greensboro, NC 27401.

So I recertify under the CERTIFICATE OF SERVICE that I file the pleading on Oct. 10, by depositing the pleading in an envelope prepaid in the Jail's mailing system. Again, I ask the Clerk to send me a letter acknowging receipt of this pleading, and notify me which Document no.'s or I ask that my docket sheet be printed and sent to me showing my last few entries.

I learned from Martinsville City Jail that I am limited by Jail policies to 1 short ink pen per month, 5 envelopes per week, no law library at all, and they have to destroy all envelopes including legal mail envelopes directed to inmates in MCJ. Envelopes are evidence but Jail officers can destroy envelopes including mail envelopes from Federal Courts. The Jail's policies seem unconstitutional and block me from continuing to ~~proceed~~ proceed in this 2255. I ask that I be appointed a lawyer for my 2255.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on October 10, 2018.

Brian D. Hill
Signed

U.S.W.G.O,

Brian David Hill
Martinsville City Jail (MCJ)
P.O. Box 1326, Martinsville VA
24112

2870

In The
Circuit Court
For the City of
Martinsville

COMMONWEALTH OF VIRGINIA,
CITY OF MARTINSVILLE,

Plaintiff,

v.

BRIAN DAVID HILL,

Defendant.

IN SUPPORT OF MOTION FOR JUDGMENT OF ACQUITTAL OR NEW TRIAL PURSUANT TO RULE 3A:15 BASED UPON NEW EVIDENCE OF SUSPECT JACODY CASSELL OF BUSINESS ENTITY: THE CHIMNEY SWEEP WHO CAUSED CARBON MONOXIDE POISONING INTOXICATION OF CRIMINAL DEFENDANT WARRANTING NEW TRIAL OR ACQUITTAL

EXHIBIT APPENDIX
VOLUME I OF II
(Pages 1 – 532)

Brian David Hill – Ally of Q
Founder of USWGO Alternative News
310 Forest Street, Apt. 2
Martinsville, Virginia 24112
(276) 790-3505

TABLE OF CONTENTS
VOLUME I OF II

MARTINSVILLE CIRCUIT **Case No.:CR19000009-00**

Commonwealth of VA **vs.** **HILL, BRIAN DAVID**

RECORD INDEX COMPLETED SEPTEMBER 3, 2022

TABLE OF CONTENTS

Document Index	Date Filed	Page
Manuscripts:		
COMPLAINT FILED BY BRIAN DAVID HILL; w/OAG	05/17/2022	1 - 104
Confirmation Number: 22-01544 RE: COMPLAINT w/OAG	05/17/2022	105 - 108
EMAIL FROM OAG: Consumer Complaint Submission	05/17/2022	109 - 112
EMAIL: Subject: Confirmation Number: 22-01544	05/17/2022	113 - 113
Letter from Aaron Ziglar, dated: May 18, 2022; received May 23. CASE NO. 953850, DISPUTE RESOLUTION UNIT OFFICE-OAG	05/23/2022	114 - 116
EMAIL TO AARON ZIGLAR, DATED: 5/23/2022, 10:48 PM	05/23/2022	117 - 127
AUTOMATIC REPLY EMAIL FROM AARON ZIGLAR 10:48 PM	05/23/2022	128 - 128
EMAIL TO consumer@oag.state.va.us; 5/23/2022, 10:59 PM	05/23/2022	129 - 140
EMAIL TO ROBERTA HILL FROM THIRD PARTY OF CASE	05/24/2022	141 - 144
READ RECEIPT FROM AARON ZIGLAR, 6/10/2022, 10:46 AM	06/10/2022	145 - 145
READ RECEIPT FROM AARON ZIGLAR, 6/10/2022, 10:46 AM	06/10/2022	146 - 146
EMAIL FROM AARON ZIGLAR, DATED 6/10/2022, 10:54 AM	06/10/2022	147 - 149
EMAIL TO AARON ZIGLAR, DATED: 6/10/2022, 1:21 PM	06/10/2022	150 - 154
EMAIL TO ROBERTA HILL FROM THIRD PARTY OF CASE	06/10/2022	155 - 161
READ RECEIPT FROM AARON ZIGLAR, 6/14/2022, 8:07 AM	06/14/2022	162 - 162
READ RECEIPT FROM THIRD PARTY, 6/14/2022, 5:02 PM	06/14/2022	163 - 163
EMAIL FROM AARON ZIGLAR, DATED 6/29/2022, 9:44 AM	06/29/2022	164 - 165
EMAIL TO AARON ZIGLAR, DATED: 6/29/2022, 2:31 PM	06/29/2022	166 - 171
Proof of mailing to TRUIST Bank requesting records-6-29-2022(2).pdf - ATTACHMENT	06/29/2022	172 - 177
EMAIL TO AARON ZIGLAR, DATED: 6/29/2022, 3:36 PM	06/29/2022	178 - 186
USWGO_20220629_150558(OCR).pdf - ATTACHMENT	06/29/2022	187 - 189
EMAIL TO ROBERTA HILL FROM THIRD PARTY OF CASE	07/01/2022	190 - 200
hospital-records-nov.-2017.pdf - ATTACHMENT	07/01/2022	201 - 230
EMAIL TO AARON ZIGLAR, DATED: 7/1/2022, 4:58 AM	07/01/2022	231 - 232
Yahoo Mail - Your October 2017 Checking Statement is now available to view in Online Banking.pdf - ATTACHMENT	07/01/2022	233 - 233
EMAIL TO AARON ZIGLAR, DATED: 7/1/2022, 7:19 AM	07/01/2022	234 - 240

The Chimney Sweep in Rocky Mount, VA 24151 - (540) 483-2468.pdf - ATTACHMENT	07/01/2022	241 - 247
Call History October 23 2017 4_50AM (pages 1-5 excerpt records)(2).pdf - ATTACHMENT	07/01/2022	248 - 253
Call History October 23 2017 4_50AM (pages 1-5 excerpt records).pdf - ATTACHMENT	07/01/2022	254 - 259
EMAIL TO AARON ZIGLAR, DATED: 7/1/2022, 2:09 PM	07/01/2022	260 - 271
540-483-2468 5404832468 is a phone.pdf - ATTACHMENT	07/01/2022	272 - 277
The Chimney Sweep Be□er Business Bureau® Profile.pdf - ATTACHMENT	07/01/2022	278 - 282
letter-to-forensic-psychologist-March-21-2019.pdf - ATTACHMENT	07/01/2022	283 - 286
Carbon-monoxide-poisoning-letter-March-10-2019.pdf - ATTACHMENT	07/01/2022	287 - 294
EMAIL TO AARON ZIGLAR, DATED: 7/5/2022, 3:12 AM	07/05/2022	295 - 296
Letter to SunTrust Bank requesting copy of transaction record(5).pdf - ATTACHMENT	07/05/2022	297 - 297
USWGO_20220629_150558(OCR).pdf - ATTACHMENT	07/05/2022	298 - 300
Proof of mailing to TRUIST Bank requesting records-6-29-2022(2).pdf - ATTACHMENT	07/05/2022	301 - 306
READ RECEIPT FROM AARON ZIGLAR, 7/5/2022, 9:06 AM	07/05/2022	307 - 307
READ RECEIPT FROM AARON ZIGLAR, 7/5/2022, 9:07 AM	07/05/2022	308 - 308
READ RECEIPT FROM AARON ZIGLAR, 7/5/2022, 9:07 AM	07/05/2022	309 - 309
READ RECEIPT FROM AARON ZIGLAR, 7/5/2022, 9:08 AM	07/05/2022	310 - 310
READ RECEIPT FROM AARON ZIGLAR, 7/5/2022, 9:10 AM	07/05/2022	311 - 311
READ RECEIPT FROM AARON ZIGLAR, 7/5/2022, 9:11 AM	07/05/2022	312 - 312
EMAIL FROM AARON ZIGLAR, DATED 7/5/2022, 10:18 AM	07/05/2022	313 - 315
EMAIL TO AARON ZIGLAR, DATED: 7/5/2022, 2:59 AM	07/05/2022	316 - 321
Brian's Declaration in support of complaint The Chimney Sweep(3).pdf - ATTACHMENT	07/05/2022	322 - 338
READ RECEIPT FROM AARON ZIGLAR, 7/5/2022, 9:10 AM	07/05/2022	339 - 339
EMAIL FROM AARON ZIGLAR, DATED 7/6/2022, 9:56 AM	07/06/2022	340 - 341
EMAIL TO AARON ZIGLAR, DATED: 7/6/2022, 11:28 AM	07/06/2022	342 - 347
EMAIL TO AARON ZIGLAR, DATED: 7/6/2022, 1:24 PM	07/06/2022	348 - 355
EMAIL TO AARON ZIGLAR, DATED: 7/7/2022 3:54 AM	07/07/2022	356 - 358
Letter to Aaron Ziglar and Eric Ferguson - July 6, 2022(8).pdf - ATTACHMENT	07/07/2022	359 - 370
EMAIL TO AARON ZIGLAR, DATED: 7/7/2022, 11:43 PM	07/07/2022	371 - 375
Complaint against TRUIST Bank in Martinsville 7-7-2022 w_attachments(2).pdf - ATTACHMENT	07/07/2022	376 - 387
READ RECEIPT FROM AARON ZIGLAR, 7/11/2022, 8:11 AM	07/11/2022	388 - 388
READ RECEIPT FROM AARON ZIGLAR, 7/11/2022, 8:11 AM	07/11/2022	389 - 389
READ RECEIPT FROM AARON ZIGLAR, 7/11/2022, 8:11 AM	07/11/2022	390 - 390
READ RECEIPT FROM AARON ZIGLAR, 7/11/2022, 8:12 AM	07/11/2022	391 - 391

EMAIL FROM AARON ZIGLAR, DATED 7/12/2022, 10:24 AM	07/12/2022	392 - 393
EMAIL TO AARON ZIGLAR, DATED 7/12/2022, 12:02 PM	07/12/2022	394 - 395
READ RECEIPT FROM AARON ZIGLAR, 7/13/2022, 8:44 AM	07/13/2022	396 - 396
EMAIL FROM AARON ZIGLAR, DATED 7/13/2022, 8:47 AM	07/13/2022	397 - 397
EMAIL TO AARON ZIGLAR, DATED 7/15/2022, 4:39 PM	07/15/2022	398 - 400
EMAIL TO AARON ZIGLAR, DATED 7/16/2022, 11:55 PM	07/16/2022	401 - 406
Scan_22-09-2019_2311_2.pdf - ATTACHMENT	07/16/2022	407 - 409
{2022-07-16} [3].pdf - ATTACHMENT	07/16/2022	410 - 412
Letter to Henry Co. Fire Marshals Office(2)Signed {2019-09-22}.pdf - ATTACHMENT	07/16/2022	413 - 415
Scan_13-06-2019_2359.pdf - ATTACHMENT	07/16/2022	416 - 418
EMAIL TO AARON ZIGLAR, DATED 7/18/2022, 4:23 AM	07/18/2022	419 - 420
READ RECEIPT FROM AARON ZIGLAR, 7/18/2022, 2:20 PM	07/18/2022	421 - 421
READ RECEIPT FROM AARON ZIGLAR, 7/18/2022, 2:20 PM	07/18/2022	422 - 422
READ RECEIPT FROM AARON ZIGLAR, 7/18/2022, 2:21 PM	07/18/2022	423 - 423
EMAIL FROM AARON ZIGLAR, DATED 7/18/2022, 2:29 PM	07/18/2022	424 - 424
EMAIL TO AARON ZIGLAR, DATED 7/24/2022, 12:51 AM	07/24/2022	425 - 426
Letter to Aaron Ziglar and Eric Ferguson - July 23, 2022(3) w_evidence.pdf - ATTACHMENT	07/24/2022	427 - 441
USWGO_20220723_165251(OCR)_Redacted.pdf - ATTACHMENT	07/24/2022	442 - 442
Oct 5 2017 check stub.pdf - ATTACHMENT	07/24/2022	443 - 443
USWGO_20220723_165737(OCR).pdf - ATTACHMENT	07/24/2022	444 - 444
EMAIL FROM POSTMASTER, DATED 7/24/2022, 12:52 AM	07/24/2022	445 - 460
EMAIL TO AARON ZIGLAR, DATED 7/24/2022, 1:06 AM	07/24/2022	461 - 463
EMAIL TO AARON ZIGLAR, DATED 7/24/2022, 1:07 AM	07/24/2022	464 - 465
READ RECEIPT FROM AARON ZIGLAR, 7/25/2022, 10:04 AM	07/25/2022	466 - 466
EMAIL TO AARON ZIGLAR, DATED 8/15/2022, 10:28 PM	08/15/2022	467 - 468
USWGO_20220815_202415.PDF - ATTACHMENT	08/15/2022	469 - 469
USWGO_20220815_194924.PDF - ATTACHMENT	08/15/2022	470 - 472
EMAIL FROM AARON ZIGLAR, DATED 8/19/2022, 11:36 AM	08/19/2022	473 - 475
USWGO_20220815_202415.PDF - ATTACHMENT	08/19/2022	476 - 476
EMAIL FROM DEMETRICE DAVIS, DATED 8/24/2022, 9:44 AM	08/24/2022	477 - 479
USWGO_20220815_202415.PDF - ATTACHMENT	08/24/2022	480 - 480
USWGO_20220815_194924.PDF - ATTACHMENT	08/24/2022	481 - 483
EMAIL TO DEMETRICE DAVIS, DATED 8/25/2022, 10:17 PM	08/25/2022	484 - 494
2017-9-27--1056AM.mp3.PDF – AUDIO FILE - ATTACHMENT	08/25/2022	495 - 495
Scan_13-06-2019_2359.pdf - ATTACHMENT	08/25/2022	496 - 498

2.28-7-1-2022-Call History October 23 2017 4_50AM (pages 1-5 excerpt records) (2).pdf - ATTACHMENT	08/25/2022	499 - 504
AUTOMATIC REPLY EMAIL FROM DEMETRICE DAVIS 8/30/2022, 7:13 AM	08/30/2022	505 - 505
EMAIL TO DEMETRICE DAVIS, DATED 8/30/2022, 7:13 AM	08/30/2022	506 - 510
Letter-Demetrice-Davis-EricFergusonAugust30-2022.pdf - ATTACHMENT	08/30/2022	511 - 519
READ RECEIPT FROM DEMETRICE DAVIS, 8/31/2022, 9:16 AM	08/31/2022	520 - 520
EMAIL FROM DEMETRICE DAVIS, DATED 8/31/2022, 9:46 AM	08/31/2022	521 - 532

OFFICE OF THE ATTORNEY GENERAL OF VIRGINIA
CONSUMER PROTECTION SECTION

CONSUMER COMPLAINT FORM

Important information – Please read first

- The Consumer Protection Section of the Office of the Attorney General of Virginia provides protection to consumers from fraud, deception, and illegal practices in the marketplace.

- Our telephone counselors are available to assist you with consumer questions. Please call the Consumer Protection Hotline at (800) 552-9963 if calling from Virginia, or (804) 786-2042 if calling from the Richmond area or from outside Virginia. Our business hours are 8:30 a.m. to 5:00 p.m., Monday through Friday.

- We are authorized to handle complaints related to the advertisement, sale, or lease of goods and services that are intended for personal, family or home use.

- We do not have jurisdiction over complaints related to transactions between private individuals where no business or merchant is involved, or transactions involving products or services that are intended for business or commercial use.

- We are not authorized to offer legal advice, provide legal representation, or pursue matters in court on behalf of individual complainants.

- We will not handle complaints that are scheduled to be heard or have already been heard in a court of law. Likewise, we will not handle complaints that are under investigation or have already been handled by the agency or entity with proper jurisdiction.

- Before you fill out our complaint form, please ensure that we are the proper office to assist you. Certain complaints might be within the jurisdiction of other local, state, or federal offices. Our telephone counselors can help you make this determination, or you can check by yourself by reviewing the "*Where to File A Complaint*" portion of our website at http://ag.virginia.gov/consumer-protection/index.php/file-a-complaint.

- If you are going to submit a complaint form to us, please make sure to include **COPIES** of any supporting documents such as contracts, invoices, receipts, etc. Do **NOT** send originals. Also, we do **NOT** need your Social Security Number or any other personal financial information not related to your complaint. Please mark out such information from any documents that you wish to send us.

- Our contact information is as follows:

  Office of the Attorney General of Virginia
  202 North Ninth Street
  Richmond, VA 23219
  Consumer Protection Hotline: (800) 552-9963 or (804) 786-2042
  Fax: (804) 225-4378
  Website: www.ag.virginia.gov

Local office of consumer affairs

- **Fairfax County** has its own locally operated office of consumer affairs. If your complaint resulted from a transaction in that locality, please contact the office directly.

  Fairfax County Department of Cable and Consumer Services
  Consumer Affairs Branch
  12000 Government Center Parkway, Suite 433, Fairfax, VA 22035.
  Phone: (703) 222-8435 Website: www.fairfaxcounty.gov/consumer

What happens to your complaint once we receive it?

- We will review your complaint and assign a number to it. We will notify you of our initial course of action or recommendation. Your complaint may be assigned to one of our staff members or it may be referred to the local, state, or federal office that has proper jurisdiction. In some instances, if a negotiated settlement cannot be achieved, we may advise you to consider pursuing your case through the courts.

- If you need to contact us about a complaint that you filed with our office, please have available your case number, the name of the staff member handling your complaint, and any new relevant information you may have.

The courts system

- The resolution of certain complaints may only be pursued through the courts. You should consider seeking legal advice before you pursue matters through the courts. If you do not have an attorney, you may contact one through the Virginia Lawyer Referral Service at (800) 552-7977 or (804) 775-0808. You may also wish to contact your local legal aid society.

Disclaimers

- By signing the Consumer Complaint Form, you authorize those agencies to which we may refer your complaint to evaluate your case on the basis of the information provided in the form, to contact you, and to take whatever lawful actions those agencies deem appropriate to attempt to resolve your complaint.

- Closed complaints will stay in our files until destroyed in accordance with established procedures for destroying public records.

- Closed complaints are subject to public disclosure under the provisions of the Virginia Freedom of Information Act, Virginia Code Section 2.2-3700 et seq. For this reason, we ask that you do not provide us with your Social Security Number or with any other personal financial information not related to this complaint.

- You have the option to request that your personal contact information not be included with any copy of your complaint that is provided in response to a FOIA request. If you do not make this request, your contact information will be included.

- The information requested on the official Consumer Complaint Form, and all subsequent requests by this Office for additional information, are subject to the Government Data Collection and Dissemination Practices Act, Virginia Code Section 2.2-3800 et seq.

OFFICE OF THE ATTORNEY GENERAL OF VIRGINIA - CONSUMER PROTECTION SECTION
OFFICIAL CONSUMER COMPLAINT FORM

SECTION 1 – Your Information

Mr. Mrs. Ms.	Last name	First name	Mid. Initial
Mr.	Hill	Brian	D.

Mailing address	Apt. or suite number
310 Forest Street	Apt. 2

City	State	Zip code	Country, if not U.S.
Martinsville	VA	24112	

Home number, including area code	Work number, including area code	Fax number, including area code
(276) 790-3505	( )	( )

City or county of residence	Your e-mail address
Martinsville	c/o rbhill67@comcast.net

Do you prefer to be contacted at home, work or by e-mail?	Best time to reach you between 8AM and 5PM?
c/o rbhill67@comcast.net	Afternoon

SECTION 2 – Name of Company Against Which You Are Complaining

Full name of company	
The Chimney Sweep	
Mailing address	**Office or suite number**
1590 Blue Bend Rd	

City	State	Zip code	Country, if not U.S.
Rocky Mount	VA	24151	

Company's Internet address (URL)

Telephone number, incl. area code	Fax number, including area code	Other contact number, including area code
(540) 483-2468	( )	( )

SECTION 3 – Complaint Information

Type of product, item, or service involved (For motor vehicles, please specify if automobile, boat, motorcycle, etc.)
service to block chimney swifts from entering chimney. Suspect placing metal tin on flues.

Manufacturer, make or brand	Model	Year
Unknown	Unknown	

Serial number, Vehicle Identification Number (VIN)
Unknown

Date of purchase or lease	Was this a new or used item?
October 5, 2017	ask them about metal tin

Did you sign a contract or a lease? Yes [ ] or No [ ]	If yes, please indicate the following	Starting date: Expiration date:
	Unknown	

Total amount paid	Total amount in dispute	How was payment made? (cash, credit card, check)
Unknown	Unknown	Ask Roberta Hill

Did you buy an extended service contract? Yes [ ] or No [ ]	If yes, name of company responsible for extended service contract or extended warranty

For automobile complaints, indicate type of repairs or services performed (Air conditioner, brakes, oil change, transmission, etc.)

Before any work was performed, did you ask for and receive a written copy of the cost estimate? Yes [ ] or No [ ]

Did you authorize any changes to the original estimate? Yes [ ] or No [ ] If yes, provide details on the next page

Were the completed repairs different from what you had authorized? Yes [ ] or No [ ] If yes, provide details on the next page

SECTION 4 – Resolution Attempts You Have Made

Have you contacted the company? Yes [ ] or No [X]	If yes, name of person most recently contacted	Their phone number, incl. area code
		( )

What resolution are you seeking?
I want them to admit under affidavit to placing metal tin on the chimney on October 5, 2017. I would like them to reimburse my criminal case legal expenses. See attachment brief and exhibits.

List any other organizations you have contacted (i.e., other consumer protection offices, Better Business Bureau, etc.)

Do you have an attorney in this case? Yes [ ] or No [X]	If yes, name of your attorney	Attorney's number, incl. area code
		( )

Has your complaint been heard or is it scheduled to be heard in court? Yes [ ] or No [ ] If yes, where and when? Unknown

➢ **SECTION 5 – Full Description of Complaint - Use additional sheets if necessary**

See Brief and evidence from Brian David Hill. It is attached
(Use additional sheets if necessary)

➢ **SECTION 6 – Disclaimers and Affidavits**

- The information requested on this form and on any subsequent requests for additional information is subject to the Virginia Government Data Collection and Dissemination Practices Act, Va. Code Section 2.2-3800 et seq.
- All information provided to this Office is available for public inspection under the Virginia Freedom of Information Act (FOIA), Va. Code Section 2.2-3700 et seq., except in the case of ongoing investigations. Closed complaints will be retained until they are destroyed in accordance with established procedures for destroying public records.
- You have the option to request that your personal contact information not be included with any copy of your complaint that is provided in response to a FOIA request. If you do not make this request, your contact information will be included.
- By signing this form, you authorize the Office of the Attorney General and any other local, state or federal agencies to which we may refer your complaint, to evaluate your complaint, to contact you and to take whatever lawful actions are deemed appropriate with regard to your complaint.
- By signing this form, you certify that the statements made herein or on any attached documentation are true and complete to the best of your knowledge, information and belief.

☐ By checking this box, I request that my personal contact information NOT be made available for purposes of FOIA requests.

☐ By checking this box, I understand that my personal contact information will be made available for purposes of FOIA requests.

Brian D. Hill
Signed
Brian D. Hill

Signature of complainant or authorized agent

May 17, 2022

Date

(Revised 05/2016)

BRIEF OF COMPLAINT MADE BY BRIAN DAVID HILL ON MAY 17, 2022 AGAINST "THE CHIMNEY SWEEP" FOR SERVICE ON OCTOBER 5, 2017 AND DAMAGES CAUSED

FILED IN THE CONSUMER PROTECTION SECTION OF THE OFFICE OF THE ATTORNEY GENERAL OF VIRGINIA

I, Brian David Hill, on the date of May 17, 2022, hereby file a complaint with the Consumer Protection Section of the Office of the Attorney General of Virginia. I file a complaint against the business entity known as "The Chimney Sweep" at the address of 1590 Blue Bend Rd, Rocky Mount, VA 24151. I file a complaint for damages against me caused by this company and its service of what was done to the chimney at 310 Forest Street, Martinsville Virginia. I live in Apartment 2 of the Triplex there. Damages done to me and irreparable harm such as both criminal liability against me and misc. civil damages done to me caused by certain procedure which was done or at least believed to have been done on the date of October 5, 2017.

The issue that I have with this company after my mother Roberta Hill of Apartment 1 (*note: owner of the Triplex but did not know of the carbon monoxide issues caused by "The Chimney Sweep" unless informed by Pete Compton so she holds no responsibility as far I am concerned.*) had paid for their service to do

something to prevent the chimney swifts (a type of bird) from coming into the chimney of the Triplex at 310 Forest Street, Martinsville, Virginia. Roberta Hill lives in Apartment 1 in the Triplex and I live in Apartment 2 of the Triplex.

Me and my mother, Roberta Hill did not know what they had done on top of the chimney of the Triplex on the date of October 5, 2017. We did receive service and the chimney swifts which are birds had stopped coming into the chimney thereafter.

This is the issue I had with this company and this company had damaged me far beyond just financial damages. They damaged me after their incompetence on October 5, 2017 had caused me damage almost a year thereafter (See **Exhibit 5**) in the form of me being subject of a criminal litigation as well on September 21, 2018 and will explain herein as to why I believe that to be so. I am willing to testify under oath about this matter.

I do not know if my mother still has any receipts from The Chimney Sweep or if they even gave her any receipt at all but the Attorney General can subpoena that business for the records for Roberta Hill and 310 Forest Street back in October, 2017 for their work I believe was rendered.

Here is how The Chimney Sweep business had damaged me and my mother. The complaint focusing on mainly myself.

1. In October 5, 2017, I believe they had placed metal tin on top of the chimney flues blocking any exhaust of both the Triplex's gas powered hot water heater and gas powered radiator. The reason why is that they never fully explained to my mother what procedure they exactly did as far as I am aware of to prevent the chimney swifts from coming back into the chimney. You can ask her these questions. I do not blame Roberta Hill for any of this, she didn't know and she thought she had trusted "The Chimney Sweep" but later found out they may have been wrong if they were indeed the ones who placed the metal tin on top of the chimney. I place the blame on The Chimney Sweep for what I believed they did was place metal tin on top of the chimney flues. There needs to be an investigation and they need to answer these questions about whether they did in fact try to cure the chimney swifts issue by placing metal tin on top of the chimney flues.

2. See **EXHIBIT 1**: On January 30, 2019 Pete Compton went to the house at 310 Forest St., Martinsville, Va 24112 to measure and give a price for a Chimney cover. Roberta Hill and her parents: Ken & Stella Forinash escorted him to Apt 1 to show him the fireplace which had a small amount of white residue inside, no damage to the ceiling and wall around the fireplace. They then escorted him downstairs to Apt 2 where parts of the ceiling above the fireplace had fallen and there was a lot of damage in the remaining ceiling below the hearth of the fireplace in apt 1 located above apt 2 and a lot of damage along the wall in apt 2 above and on both sides of

the fireplace as well as a lot of white residue inside of the fireplace. After this, they all went down another flight of stairs to the basement where the gas boiler heater and the gas hot water heater were located to show him that there would be 3 holes in the chimney. Pete Compton then went outside and got his ladder to measure the chimney. This was when he found out that all 3 holes were covered with tin. Knowing that the gas boiler heater & gas hot water heater needed to be vented at all times, Pete Compton immediately removed the tin covering the hole so carbon monoxide would no longer go through the house. Ms. Hill had informed Pete Compton that she had called a chimney sweep in Rocky Mount, VA in October, 2017 to clean the chimney and to put screen on all holes after the family spotted birds going into their fireplace the year before. In my 25 years of doing this type of work, this was the first time he have ever seen tin covering holes where it is important to vent gas heaters. He showed the family the tin He had just removed and had them to climb my ladder to look at the chimney. We then went back in the house, and he informed them that the white residue inside both fireplaces was from the gas that had no other place to escape and informed them that they had been exposed to carbon monoxide gas, but now that the tin had been removed, there should no longer be any problems. He returned to the house on February 4, 2019 and installed a stainless steel multifaceted chimney cap vented with screen on all 4 sides.

3. The damage to Brian David Hill caused by the carbon monoxide due to the

metal tin on the chimney flues had led to the Hospital trip of Brian David Hill on November 19, 2017. The Hospital admits that Brian David Hill had Obsessive Compulsive Disorder (OCD) taking hours of hand washing and body washing routines just to get to the Hospital. Found sinus tachycardia and abnormal levels. The more hot water is used during one of Brian Hill's hand washing routines lasting hours due to his OCD, the more the hot water heater heats up using more gas and exhausting gas with no ventilation doe to the metal tin on the chimney flues causing carbon monoxide gas and worsening OCD and worsening the Autism Spectrum Disorder of Brian David Hill. See **Exhibit 2**.

4. Roberta Hill did an affidavit about the Carbon Monoxide damage in my Apartment, Apartment 2, with photos taken in 2019 while I was in jail. See **Exhibit 3**.

5. Brian David Hill suffered for months and months of Carbon Monoxide poisoning, like similar that of being on like a drug or substance. It can have affects as bad if not worse than things like bath salts or sniffing glue. It is exactly the same thing despite Brian Hill having no drug history but carbon monoxide can be just as deadly as any known street drug on record in America. It can cause known issues such as hallucinations, psychosis, constant diarrhea, worsening OCD, and abnormal behaviors not exhibited previously. See the diagnosis of Dr. Conrad Daum of Piedmont Community Services regarding "psychosis" diagnosis. See **Exhibit 4**.

6. The bad effects of carbon monoxide had caused psychosis and hallucinations of Brian David Hill. On or around September 21, 2018, it had directly caused Brian David Hill to have wandered away from home around the middle of the night with clothes then getting naked on a deserted walking trail called the Dick and Willie walking trail in the City of Martinsville. Making claims of a man wearing a hoodie threatening Brian Hill to get naked and take photos of himself or his mother would be killed. The police found no indication of Brian having diabetes. The police found no plans of being out there. The police wondered why Brian was even out there, questions which may never be answered because they don't have the levels of carbon monoxide poisoning at the time. He was diagnosed with "psychosis" for his statements regarding this matter a month later. Prior to this weird incident, Brian Hill had received two threatening emails in 2013 and threatening text messages in 2015. Not just that but Attorney Susan Basko forwarded a threatening email she received and that threat was also directed at hurting or threatening Brian Hill. Brian suffered in 2012 an incident where if Brian didn't falsely confess to a crime he didn't do his "mother would be held responsible" referring to Roberta Hill, his mother. So Brian had been subject to being threatened multiple times and receiving threats prior to the incident on September 21, 2018. Anyways, he was walking naked, admitted to "kept sitting on benches" and admitted to having blackouts, and said he may have been drugged in a letter written to a federal court in 2019. The Attorney General's Office

may request a copy of this filed letter from PACER or Courtlistener. Family gave me the link for this for the Attorney General to review: https://www.courtlistener.com/docket/4304407/153/united-states-v-hill/ A car who went by around Hooker Street. It said from the criminal complaint "…naked white male that had been seen running on Hooker St from Church St. Officers were in the area of Hooker St and had not located the male." See CRIMINAL COMPLAINT from Page 1, case no. CR19000009-00. The police did not understand about the carbon monoxide because nobody knew it was going on. Brian David Hill exhibited mental confusion which of course mental and brain problems come from prolonged exposure to carbon monoxide gas exhaust into the Apartment. The police did not believe Brian David Hill and had charged him with intentionally making an obscene display on September 21, 2018. Brian Hill tried to mail evidence of his prolonged exposure to carbon monoxide to both the Circuit Court and Martinsville Police Department but both had ignored it. Police refused to even look at it. Refused to even open the envelope with the evidence proof. See **Exhibit 5.**

7. Dr. Balakrishnan had some concerns with some abnormal laboratory results on July 31, 2018. A few months prior to the weird incident on September 21, 2018. He suspected something may have been wrong with Brian David Hill. That would be caused by the carbon monoxide gas which of course causes carbon monoxide poisoning. See **Exhibit 6**.

8. Before the Martinsville Police arrested Brian David Hill for indecent exposure on September 21, 2018, presumably due to the prolonged exposure to the exhaust of gas from the fireplace of Apartment 2 without proper ventilation due to "The Chimney Sweep" presumably placing metal tin on top of the chimney on October 5, 2017, as the metal tin was found by Pete Compton in January of 2019. Before the Martinsville Police arrested Brian David Hill, the Hospital had failed or refused to conduct laboratory testing, any drug testing, or even any alcohol testing. However there were multiple readings of resting blood pulse being well over 100. There were issues but the Hospital failed to do their job at that time, but it does show that had the blood tests been conducted, they would have found the hyboxyhemoglobin levels of Carbon Monoxide poisoning in my blood. Regardless, it is indisputable that Brian David Hill was exposed to carbon monoxide caused by the gas exhaust of both the gas hot water heater and the gas radiator. See **Exhibit 7**.

9. The witnesses Stella Forinash, Kenneth Forinash, Pete Compton, and Roberta Hill are all material witnesses to this complaint and the resolution process is necessary for the best interests of justice in multiple aspects. The Chimney Sweep must be held accountable for the irreparable harm and damages caused to Brian Hill. Also his federal probation officer Jason McMurray of Roanoke, VA witnessed the damage coming from Apartment 2 prior to Brian David Hill being arrested for indecent exposure. Damage on the wall surrounding the fireplace and the damage

from the ceiling. His probation officer had not known at those times prior to Brian Hill's arrest what caused such damage. An email was sent by Brian's grandparents to the Probation Officer over the carbon monoxide issues. That shall be **Exhibit 8**.

RESOLUTION REQUESTED BY BRIAN HILL TO THE ATTORNEY GENERAL; RESOLUTION REQUESTED OF THE DAMAGES AND IRREPARABLE HARM CAUSED BY "THE CHIMNEY SWEEP" BUSINESS

Brian David Hill requests the following remedies from "The Chimney Sweep" business from Rocky Mount:

1. Brian David Hill would like whoever had worked on the chimney on October 5, 2017, to simply admit to that procedure on that date, in writing and under oath, affidavit. Admit to placing the metal tin over the chimney flues at 310 Forest Street, Martinsville, Virginia 24112. It all needs to be admitted under oath and filed with the Attorney General, a copy to myself Brian Hill, and a copy with the Commonwealth's Attorney in my criminal case

2. Brian David Hill would like acquittal of his indecent exposure charge since the carbon monoxide poisoning caused or majorly contributed to the charge against Brian David Hill because he was exposed to gas exhaust due to the placing of metal tin presumably by "The Chimney Sweep" had led to such issues with psychosis and presumably hallucinations caused by the carbon monoxide. If not acquittal then

Brian David Hill would like his criminal case legal expenses including legal fees demanded by the Commonwealth to be entirely reimbursed by "The Chimney Sweep" business for such damages and liability caused by their incompetence. The reason why reimbursement is requested is because Brian David Hill's only source of income is his SSI disability money. He cannot afford to pay the Commonwealth of Virginia for legal expenses accrued as a result of him being forced to continually fight his criminal case caused by weird abnormal behavior caused by the Carbon Monoxide poisoning caused by prolonged exposure to the carbon monoxide gas.

3. Brian David Hill would like "The Chimney Sweep" to be witnesses in any jury trial or bench trial or any hearing in the criminal case of City of Martinsville and Commonwealth of Virginia v. Brian David Hill, criminal case no. CR19000009-00. They are at fault for the carbon monoxide because of the metal tin placed on top of the chimney flues.

4. Brian David Hill is not filing this complaint on Roberta Hill's behalf but Brian is filing this because of the years of suffering and mental health damages and anguish caused by the criminal case caused by the exposure to carbon monoxide. Brian may ask her to email this complaint or submit this complaint and exhibits. She is not involved in this complaint other than simply submitting it to the Office of the Attorney General at Brian Hill's insistence because he is not allowed to use the internet at this time. Roberta Hill can file a separate complaint if she feels she is

entitled to any relief or resolution. Brian Hill will testify that she has been damaged too by the carbon monoxide. Her vision is not as good requiring her to wear glasses. Brian Hill's eye vision is not as good after the prolonged exposure to the carbon monoxide.

Brian asks for resolution against "The Chimney Sweep" as soon as possible for resolution in his criminal case and for resolution outside of his case for the damages and mental health issues on September 21, 2018 and thereafter, caused by the Carbon Monoxide caused by metal tin placed on top of the chimney flues found by Pete Compton and believed to be caused by somebody working for "The Chimney Sweep" on October 5, 2017. Brian demands an investigation into the misconduct by somebody working for The Chimney Sweep.

Respectfully Filed/Submitted on May 17, 2022,

BRIAN DAVID HILL
Pro Se



Brian D. Hill

Brian David Hill – Ally of Qanon
Founder of USWGO Alternative News

310 Forest Street, Apt. 2
Martinsville, Virginia 24112
(276) 790-3505
Pro Se Appellant
https://JusticeForUSWGO.wordpress.com
https://JusticeForUSWGO.nl

U.S.W.G.O.

EXHIBIT LIST

EXHIBIT LIST	EXHIBIT PAGES
EXHIBIT 1: Witness statement from Pete Compton of ACE Chimney company in Bassett, Virginia. Willing to testify under oath	1-1
EXHIBIT 2: Sovah Health Martinsville medical records of Brian David Hill dated November 19, 2017.	2-31
EXHIBIT 3: DECLARATION OF ROBERTA HILL IN SUPPORT OF THE PETITIONER BRIAN DAVID HILL'S PETITION FOR THE WRIT OF ACTUAL INNOCENCE – about the carbon monoxide gas exposure. As well as photos of the carbon monoxide damage and a letter from Brian Hill's grandparents. It said in one portion: "…young son of the owner of the chimney company in Rocky Mount, VA" So Stella & Ken Forinash suspected it may have been the son of the owner of that chimney company.	32-48
EXHIBIT 4: Diagnosis from Dr. Conrad Daum of Piedmont Community Services diagnosing Brian David Hill with psychosis but of an unknown substance or whatever it is, read the report.	49-59

EXHIBIT 5: Arrest warrant and CRIMINAL COMPLAINT out of incident believed was caused by the carbon monoxide gas and poisoning.	60-62
EXHIBIT 6: Medical lab report from Carilion Clinic on July 31, 2018, on abnormal readings which may or may not be associated with Carbon Monoxide.	63-66
EXHIBIT 7: Sovah Health Martinsville medical records of Brian David Hill dated Friday, September 21, 2018.	67-73
EXHIBIT 8: Email printout of email from Stella and Kenneth Forinash CC to: Roberta Hill and email mainly sent to USPO Jason McMurray about the Carbon Monoxide issues.	74-87

EXHIBIT 1

To Whom This May Concern:

On January 30, 2019 I went to the house at 310 Forest St., Martinsville, Va 24112 to measure and give a price for a Chimney cover. Roberta Hill and her parents: Ken & Stella Forinash escorted me to Apt 1 to show me the fireplace which had a small amount of white residue inside, no damage to the ceiling and wall around the fireplace. They then escorted me downstairs to Apt 2 where parts of the ceiling above the fireplace had fallen and there was a lot of damage in the remaining ceiling below the hearth of the fireplace in apt 1 located above apt 2 and a lot of damage along the wall in apt 2 above and on both sides of the fireplace as well as a lot of white residue inside of the fireplace. After this, we went down another flight of stairs to the basement where the gas boiler heater and the gas hot water heater were located to show me that there would be 3 holes in the chimney.

I then went outside and got my ladder to measure the chimney. This was when I found out that all 3 holes were covered with tin. Knowing that the gas boiler heater & gas hot water heater needed to be vented at all times, I immediately removed the tin covering the hole so carbon monoxide would no longer go through the house. Ms Hill had informed me that she had called a chimney sweep in Rocky Mount, VA in October, 2017 to clean the chimney and to put screen on all holes after the family spotted birds going into their fireplace the year before. In my 25 years of doing this type of work, this was the first time I have ever seen tin covering holes where it is important to vent gas heaters. I showed the family the tin I had just removed and had them to climb my ladder to look at the chimney. We then went back in the house, and I informed them that the white residue inside both fireplaces was from the gas that had no other place to escape and informed them that they had been exposed to carbon monoxide ~~poisoning~~, but now that the tin had been removed, there should no longer be any problems. I returned to the house on February 4, 2019 and installed a stainless steel multifaceted chimney cap vented with screen on all 4 sides. GA EF

Signed as a witness on this date: Kenneth R. Forinash 6-13-19

Elmo P. Compton Jr 6-13-19

Pete Compton ACE Chimney & Wildlife; Bassett, VA

Phone 276-629-4453

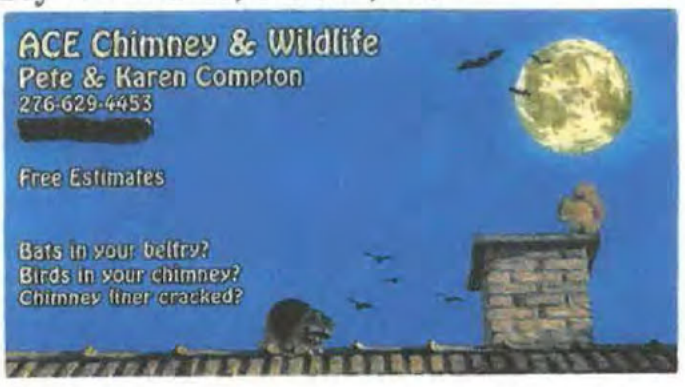


EXHIBIT 2

HILL,BRIAN D
MM7805836274 PRE ER MM.ER
11/19/17 0850 UNKNOWN,UNKNOWN
DOB:05/26/90 27 M MR# MM00370912
Sovah Health - Martinsville

Sovah Health Martinsville

320 Hospital Drive
Martinsville, VA 24112
276-666-7237

11/9/67
97
98%
18

Emergency Department Instructions for: **Hill, Brian D**

Arrival Date: **Sunday, November 19, 2017**

Thank you for choosing **Sovah Health Martinsville** for your care today. The examination and treatment you have received in the Emergency Department today have been rendered on an emergency basis only and are not intended to be a substitute for an effort to provide complete medical care. You should contact your follow-up physician as it is important that you let him or her check you and report any new or remaining problems since it is impossible to recognize and treat all elements of an injury or illness in a single emergency care center visit.

Care provided by: Ekuban-Gordon, Edna, MD

Diagnosis: Head Laceration/ Open wound of head; Hyperglycemia, unspecified

DISCHARGE INSTRUCTIONS	FORMS
Head Injury, Adult Facial Laceration Hyperglycemia, Easy-to-Read Stitches, Staples, or Adhesive Wound Closure, Easy-to-Read	Medication Reconciliation
FOLLOW UP INSTRUCTIONS	**PRESCRIPTIONS**
Private Physician When: 2 - 3 days; Reason: Wound Recheck	None
SPECIAL NOTES	
None	

Suicide National Hotline: 1-800-273-8255 (800-273-TALK)

If you received a narcotic or sedative medication during your Emergency Department stay you should not drive, drink alcohol or operate heavy machinery for the next 8 hours as this medication can cause drowsiness, dizziness, and decrease your response time to events.

I hereby acknowledge that I have received a copy of my transition care record and understand the above instructions and prescriptions.

Brian D. Hill

Brian Hill
MRN # MM00370912

Bell Thornton, RN

ED Physician or Nurse
11/19/2017 12:14

X-RAYS and LAB TESTS:
If you had x-rays today they were read by the emergency physician. Your x-rays will also be read by a radiologist within 24 hours. If you

had a culture done it will take 24 to 72 hours to get the results. If there is a change in the x-ray diagnosis or a positive culture, we will contact you. Please verify your current phone number prior to discharge at the check out desk.

MEDICATIONS:
If you received a prescription for medication(s) today, it is important that when you fill this you let the pharmacist know all the other medications that you are on and any allergies you might have. It is also important that you notify your follow-up physician of all your medications including the prescriptions you may receive today.

TESTS AND PROCEDURES

Labs
CMP, Complete Blood Count W/auto Diff, Thyroid Stimulating Hormone, POC GLU, POC GLU

Rad
CT Head w/o Contrast, Chest 1 View - Portable

Procedures
Blood Sugar, 12 Lead EKG, Laceration

Other
Seizure precautions, Accucheck, Cardiac Monitor, Apply to Pt, Pulse ox continuous, Oxygen at 2 L/NC, IV saline lock, EKG ED, Laceration repair set up

Chart Copy



EMERGENCY DEPARTMENT RECORD
Nurse's Notes
Sovah Health Martinsville
Name: Brian Hill
Age: 27 yrs
Sex: Male
DOB: 05/26/1990
MRN: MM00370912
Arrival Date: 11/19/2017
Time: 08:51
Account#: MM7805836274
Bed ER 6
Private MD:
Diagnosis: Head Laceration/ Open wound of head;Hyperglycemia, unspecified

Presentation:
11/19
09:08 Presenting complaint: Patient states: had a seizure this morning due to low blood sugar, laceration to head per pt, bleeding controlled. Airway is patent with good air movement. The patient is breathing without difficulty. The patient is pink,warm and dry. Heart rate is within normal limits. Patient is alert and oriented to person, place and time, Patient is moving all extremities appropriately. ll
11/19
09:08 Acuity: Urgent (3) ll

Historical:
- Allergies: Ranitidine;
- Home Meds:
1. Unable to Obtain
- PMHx: OCD; autism; Diabetes - IDDM;
- Sepsis Screening:: Sepsis screening negative at this time.
- Social history:: Tobacco Status: The patient states he/she has never used tobacco. The patient's primary language is English. The patient's preferred language is English.
- Family history:: Reviewed and not pertinent.
- Exposure Risk/Travel Screening:: Patient has not been out of the country in last 30 days. Have you been in contact with anyone who is ill that has traveled outside of the country in the last 30 days? No.
- Suicide Screening:: Have you recently had thoughts about hurting yourself or others? No.
- Tuberculosis screening:: No symptoms or risk factors identified.

Screening:
11/19
09:41 Fall Risk: Total Points: Med. Risk (25-44);. Abuse Screen: Patient verbally denies physical, verbal and emotional abuse/neglect. There are no cultural/spiritual considerations for care for this patient. mkk

Assessment:
11/19

09:38 Complains of pain in face Pain does not radiate. Pain currently is 7 mkk

out of 10 on a pain scale. The level of pain that is acceptable is 0 out of 10 on a pain scale. General: Appears in no apparent distress, comfortable, well developed, well nourished, well groomed, Behavior is appropriate for age, cooperative, pleasant. Neuro: Reports headache. Neuro: Reports seizure due to low blood sugar. EENT: Denies. Cardiovascular: Denies. Respiratory: Denies. GI: Denies. GU: Denies. Derm: Denies. Musculoskeletal: Denies. Injury Description: Laceration sustained to face is clean, 0.5 to 2.5 cm long, not bleeding, was sustained 4-6 hours ago.

11/19
09:38 Method Of Arrival: EMS mkk

Vital Signs:

11/19
09:08 BP 131 / 76; Pulse 118; Resp 20; Temp 98.2; Pulse Ox 97% ; Weight 91.63 kg; Height 5 ft. 10 in. (177.80 cm); ll

11/19
09:46 mkk

11/19
10:59 BP 124 / 73; Pulse 93; Resp 18; Pulse Ox 100% on R/A; mkk

11/19
12:57 BP 119 / 67; Pulse 97; Resp 19; Pulse Ox 98% on R/A; pt3

11/19
09:08 Body Mass Index 28.98 (91.63 kg, 177.80 cm) ll

11/19
09:46 patient has OCD and had to do his "routines" prior to coming, has been about 4 hours since injury occured mkk

Glasgow Coma Score:

11/19
12:16 Eye Response: spontaneous(4). Verbal Response: oriented(5). Motor Response: obeys commands(6). Total: 15. eeg

ED Course:

11/19
08:51 Patient arrived in ED. knm

11/19
09:09 Rapid Initial Assessment completed. ll

11/19
09:27 Ekuban-Gordon, Edna, MD is Attending Physician. eeg

11/19
09:41 Patient has correct armband on for positive identification. Placed in gown. Bed in low position. Call light in reach. Side rails up X2. Adult with patient. Seizure precautions initiated. NIBP on. Pulse ox on. mkk

11/19
09:41 No physician assisted procedures were completed. mkk

11/19
10:01 Inserted saline lock: 20 gauge right arm blood drawn from IV and sent to lab per order. mkk

11/19
10:08 EKG Done By ED Tech 10:06 Reviewed by Physician Edna Ekuban-Gordon MD.bh

11/19
10:40 Critical Lab Value: Patient Name verified: Brian Hill, Patient DOB ll

Verified May 26, 1990 Critical value glucose 459reported read back to reporting lab personnel, and reported to Dr. Edna Ekuban-Gordon MD.
11/19
10:59 Assist provider with laceration repair Set up tray. mkk
11/19
11:53 Troncoso, Priscilla, RN is Primary Nurse. pt3

Administered Medications:
11/19
10:59 Drug: NS 0.9% 1000 ml Route: IV; Rate: 999 mL/hr; Site: right arm; mkk
11/19
12:59 Follow up: Response: No adverse reaction; IV Status: Completed pt3
infusion
11/19
11:02 Drug: NovoLIN R 7 units {Co-Signature: mkk (Michaela Karet RN).} ll
Route: IVP; Site: right arm;
11/19
12:58 Follow up: Response: No adverse reaction pt3

Point of Care Testing:
Blood Glucose:
11/19
09:40 Glucose Value: 489; mkk
11/19
09:43 Glucose Value: 435; mkk
11/19
09:40 test repeated mkk
Ranges:

Output:
11/19
11:28 Urine: 600ml (Voided); Total: 600ml. dab

Outcome:
11/19
12:14 Discharge ordered by Provider. eeg
11/19
12:57 Discharged to home ambulatory, with family. pt3
12:57 Instructions given to patient, parent, Instructed on discharge instructions. follow up and referral plans. . Patient and/or family voiced understanding of instructions using teach back method.
12:57 The patients' shirt, pants, shoes, socks and underwear were sent with the patient.
12:57 Discharge Assessment: Patient
12:57 Discharge Assessment: Patient has no functional deficits.
12:57 Discontinued IV lock intact, bleeding controlled, pressure dressing applied, No redness/swelling at site.
11/19
13:24 Patient left the ED. jkp

Signatures:
Harrison, Rindi, RN RN ll
Ekuban-Gordon, Edna, MD MD eeg

EMERGENCY DEPARTMENT RECORD
Physician Documentation
Sovah Health Martinsville
Name: Brian Hill
Age: 27 yrs
Sex: Male
DOB: 05/26/1990
MRN: MM00370912
Arrival Date: 11/19/2017
Time: 08:51
Account#: MM7805836274
Bed ER 6
Private MD:
ED Physician Ekuban-Gordon, Edna
HPI:
11/19
11:49 This 27 yrs old White Male presents to ER via EMS with complaints of Fall Injury. eeg
11/19
11:49 Onset: The symptoms/episode began/occurred today. Associated injuries: The patient sustained injury to the head. Associated signs and symptoms: Loss of consciousness: the patient experienced no loss of consciousness. Severity of symptoms: in the emergency department the symptoms are unchanged. Pain Management: Patient denies pain. The patient has experienced similar episodes in the past, a few times. The patient has not recently seen a physician. Family report history of low blood sugar, general low will have seizure episode when the blood sugar is low. Blood sugar was obtained by mom at 20 repeat 40 was subsequently given some oral glucose and brought here for further evaluation. Patient denies any headache palpitation no neck pain and stiffness. Admits to feeling like himself.. eeg

Historical:
- Allergies: Ranitidine;
- Home Meds:
1. Unable to Obtain
- PMHx: OCD; autism; Diabetes - IDDM;
- Sepsis Screening:: Sepsis screening negative at this time.
- Social history:: Tobacco Status: The patient states he/she has never used tobacco. The patient's primary language is English. The patient's preferred language is English.
- Family history:: Reviewed and not pertinent.
- Exposure Risk/Travel Screening:: Patient has not been out of the country in last 30 days. Have you been in contact with anyone who is ill that has traveled outside of the country in the last 30 days? No.
- Suicide Screening:: Have you recently had thoughts about hurting yourself or others? No.
- Tuberculosis screening:: No symptoms or risk factors identified.
- The history from nurses notes was reviewed: and I agree with what is documented up to this point.

ROS:

11/19
11:52 Eyes: Negative for injury, pain, redness, and discharge, ENT: eeg
Negative for injury, pain, and discharge, Neck: Negative for injury,
pain, and swelling, Cardiovascular: Negative for chest pain,
palpitations, and edema, Respiratory: Negative for shortness of
breath, cough, wheezing, and pleuritic chest pain, Abdomen/GI:
Negative for abdominal pain, nausea, vomiting, diarrhea, and
constipation, Back: Negative for injury and pain, MS/Extremity:
Negative for injury and deformity. All other systems are negative,
except as documented below. Skin: Positive for laceration(s), of the
face. Neuro: Negative for dizziness, headache, weakness. Psych:
Negative for depression, alcohol dependence, homicidal ideation,
suicide gesture.

Exam:
11/19
11:53 Eyes: Pupils equal round and reactive to light, extra-ocular motions eeg
intact. Lids and lashes normal. Conjunctiva and sclera are
non-icteric and not injected. Cornea within normal limits.
Periorbital areas with no swelling, redness, or edema. ENT: Nares
patent. No nasal discharge, no septal abnormalities noted. Tympanic
membranes are normal and external auditory canals are clear.
Oropharynx with no redness, swelling, or masses, exudates, or
evidence of obstruction, uvula midline. Mucous membrane moist Neck:
Trachea midline, no thyromegaly or masses palpated, and no cervical
lymphadenopathy. Supple, full range of motion without nuchal
rigidity, or vertebral point tenderness. No Meningismus.
Chest/axilla: Normal chest wall appearance and motion. Nontender
with no deformity. No lesions are appreciated. Cardiovascular:
Regular rate and rhythm with a normal S1 and S2. ,no jvd No pulse
deficits. Respiratory: Lungs have equal breath sounds bilaterally,
clear to auscultation and percussion. No rales, rhonchi or wheezes
noted. No increased work of breathing, no retractions or nasal
flaring. Abdomen/GI: Soft, non-tender, with normal bowel sounds. No
distension or tympany. No guarding or rebound. No evidence of
tenderness throughout. Back: No spinal tenderness. No
costovertebral tenderness. Full range of motion. MS/ Extremity:
Pulses equal, no cyanosis. Neurovascular intact. Full, normal range
of motion. Neuro: Awake and alert, GCS 15, oriented to person,
place, time, and situation. Cranial nerves II-XII grossly intact.
Motor strength 5/5 in all extremities. Sensory grossly intact.
Cerebellar exam normal. Normal gait., slow, but appropriate Psych:
Awake, alert, with orientation to person, place and time. Behavior,
mood, and affect are within normal limits.
11:53 Constitutional: The patient appears alert, awake, non-diaphoretic.
11:53 Head/face: Noted is a laceration(s), that is linear, 3 cm(s).
11:53 Musculoskeletal/extremity: Extremities: all appear grossly normal,
with no appreciated pain with palpation, ROM: intact in all
extremities, Circulation is intact in all extremities. Sensation
intact.
11:53 Psych: Behavior/mood is cooperative.

Vital Signs:
11/19

RUN DATE:11/23/17
DISCHARGE SUMMARY FOR MEDICAL RECORDS FOR LABORATORY

Patient: HILL,BRIAN D #MM7805836274 **(Continued)**

**********CHEMISTRY**********

	Date 11/19/17 Time 1007			Reference	Units
BUN	7			(5-25)	MG/DL
CREATININE	1.01			(0.90-1.30)	MG/DL
eGFR NON-AA	102(A)				
eGFR AA	118(B)				
SODIUM	131 L			(135-145)	MMOL/L
POTASSIUM	4.4			(3.5-5.0)	MMOL/L
CHLORIDE	96 L			(98-109)	MMOL/L
CO2	26			(20-30)	MMOL/L
ANION GAP	9.0			(1-10)	
GLUCOSE	459(C) *H			(65-100)	MG/DL
CALCIUM	9.0			(8.5-10.3)	MG/DL
TOTAL PROTEIN	7.8			(6.0-8.0)	G/DL
ALBUMIN	4.3			(3.2-5.5)	G/DL
AG	1.2			(1.2-1.7)	RATIO
GLOBULIN	3.5			(2.5-3.9)	G/DL
T BILI	0.50			(0.20-1.00)	MG/DL
SGOT/AST	27			(10-42)	IU/L
SGPT/ALT	21			(10-60)	IU/L
ALK PHOS	74			(42-121)	IU/L
TSH	1.29			(0.34-5.60)	uIU/ML

(A) Non-African American

(B) African American.
eGFR UNITS: ml/min/1.73m2.
*eGFR >= 60 = Normal GFR or mild decrease in GFR
*eGFR 30-59 = Moderate decrease in GFR (Stage 3 CKD)
*eGFR 15-29 = Severe decrease in GFR (Stage 4 CKD)
*eGFR <15 = End-stage kidney failure (Stage 5 CKD)

The equation has not been validated in patients >70 YRS OLD.

(C) CRITICAL RESULTS CALLED ON 11/19/17
AT 1035 TO: RINDY LAPRADE/RB/CALLED X 2 SNCE 1035
BY: CLIFTON,LYDIA C

Patient: HILL,BRIAN D **Age/Sex:** 27/M **Acct#**MM7805836274 **Unit#**MM00370912

SOVAH HEALTH - MARTINSVILLE
RADIOLOGY DEPT
320 HOSPTIAL DR
MARTINSVILLE, VA 24112
PHONE #: 276-666-7223
FAX #: 276-666-7591

Name: HILL,BRIAN D
Phys: EKUBAN-GORDON,EDNA MD
DOB: 05/26/1990 Age: 27 Sex: M
Acct: MM7805836274 Loc: MM.ER
Exam Date: 11/19/2017 Status: DEP ER
Radiology No:
Unit No: MM00370912

EXAMS:
000898111 CHEST 1 VIEW - PORTABLE

EXAM REASON:
Chest Tightness

PORTABLE CHEST

HISTORY: Seizure.

COMPARISON: 11/10/2015

FINDINGS: The heart size and configuration are within normal limits for age and portable technique. The lungs are clear. There is no evidence of pleural effusions or pneumothorax. No acute bony abnormality.

IMPRESSION: No evidence of acute cardiopulmonary disease.

** Electronically Signed by MAROON B KHOURY on 11/19/2017 at 1424 **
Reported by: DR. MAROON B KHOURY
Signed by: KHOURY,MAROON B

CC: EDNA EKUBAN-GORDON MD

Technologist: KYLEA ANN KEATTS
Transcribed Date/Time: 11/19/2017 (1146)
Transcriptionist: MMTRSPSB
Orig Print D/T: S: 11/19/2017 (1424)
BATCH NO: N/A

PAGE 1 Signed Report

HILL, BRIAN ID: 000370912 19-Nov-2017 10:06:44 Memorial Hospital of Martinsville

27years
Male Caucasian

Room: 6
Loc: 15

Vent. rate	105 bpm
PR interval	158 ms
QRS duration	92 ms
QT/QTc	328/433 ms
P-R-T axes	64 64 52

Sinus tachycardia
Possible Left atrial enlargement
Borderline ECG

Time: 1007
Bed 6

T HILL,BRIAN D
MM7805836274 PRE ER MM.ER
11/19/17 0850 UNKNOWN,UNKNOWN
DOB:05/26/90 27 M MR# MM00370912
Sovah Health - Martinsville

Visit: MM7805836274
Secondary ID: MM216937
Referred by: EKUBAN-GORDON, EDNA

Order no.: 211490013
Unconfirmed

CHEST PAIN

I aVR V1 V4
II aVL V2 V5
III aVF V3 V6
II

100 Hz 25.0 mm/s 10.0 mm/mV 4 by 2.5s + 1 rhythm ld MAC55 010B 12SL™v241 HD

P/N 2009828-024 GE Healthcare PRINTED IN U.S.A.

EKG Scanned Page 1/1 MM00370912 MM7805836274 SOVAH Health - Martinsville Job 12468 (07/02/2019 14:03) -- Page 35 Doc# 12

SOVAH HEALTH - MARTINSVILLE
320 HOSPITAL DRIVE - P.O. BOX 4788
MARTINSVILLE, VA 24112 (276)666-7360
CLIA NO. 49D0231853 RT CLIA NO. 4D0661287

RUN DATE:11/23/17

DISCHARGE SUMMARY FOR MEDICAL RECORDS FOR LABORATORY

CMAX: MM00370912~MM7805836274~LABDATA~20171123~LABDISMM1001869144~COCMMH~COCVAE~LAB.COCMMH~

PATIENT: HILL,BRIAN D
REG DR: EKUBAN-GORDON,EDNA MD

ACCT #: MM7805836274 **LOC:** MM.ER **U #:** MM00370912
AGE/SX: 27/M **ROOM:** **REG:** 11/19/17
DOB: 05/26/90 **BED:** **DIS:**
STATUS: DEP ER **TLOC:**

**********POINT OF CARE**********

Date	11/19/17			
Time	1006	0943	Reference	Units
POC GLU	429 H	435 H	(65-100)	MG/DL

**********HEMATOLOGY**********

Date	11/19/17			
Time	1007		Reference	Units
WBC	11.6 H		(4.5-11.0)	K/UL
RBC	5.32		(4.50-5.90)	M/UL
HGB	15.8		(14.0-17.5)	G/DL
HCT	46.0		(35.0-49.0)	%
MCV	86.5		(80-96)	UM3
MCH	29.7		(27-32)	PG
MCHC	34.3		(32-37)	G/DL
RDW	13.1		(11.5-14.5)	%
RDW-SD	41.1		(35.1-43.9)	fl
PLT	241		(140-440)	K/UL
MPV	10.8 H		(7.4-10.4)	fl
SEGS %	84 H		(37-80)	%
SEG ABSOLUTE	9.77 H		(1.5-6.8)	K/UL
LYMPH %	10		(10-50)	%
LYMPH ABSOLUTE	1.10		(1.0-4.0)	K/UL
MONO %	6		(0-12)	%
MONO ABSOLUTE	0.64		(0.2-1.0)	K/UL
EOS %	0		(0-7)	%
EOS ABSOLUTE	0.05		(0.0-0.5)	K/UL
BASO %	0		(0-2)	%
BASO ABSOLUTE	0.04		(0.0-0.2)	K/UL
IG %	0.3			%
IG ABSOLUTE	0.0		(0.0-0.1)	

Patient: HILL,BRIAN D **Age/Sex:** 27/M **Acct#**MM7805836274 **Unit#**MM00370912

09:08 BP 131 / 76; Pulse 118; Resp 20; Temp 98.2; Pulse Ox 97% ; Weight 91.63 kg; Height 5 ft. 10 in. (177.80 cm); — ll

11/19
09:46 — mkk

11/19
10:59 BP 124 / 73; Pulse 93; Resp 18; Pulse Ox 100% on R/A; — mkk

11/19
12:57 BP 119 / 67; Pulse 97; Resp 19; Pulse Ox 98% on R/A; — pt3

11/19
09:08 Body Mass Index 28.98 (91.63 kg, 177.80 cm) — ll

11/19
09:46 patient has OCD and had to do his "routines" prior to coming, has been about 4 hours since injury occured — mkk

Glasgow Coma Score:

11/19
12:16 Eye Response: spontaneous(4). Verbal Response: oriented(5). Motor Response: obeys commands(6). Total: 15. — eeg

Laceration:

11/19
12:11 Wound Repair of 3cm (1.2in) subcutaneous laceration to forehead. Linear shaped.. No foreign body noted. Distal neuro/vascular/tendon intact. Anesthesia: Wound infiltrated with 3 mls of 1% lidocaine w/ Epi. Wound prep: Simple cleansing with betadine. Skin closed with 6 1-0 Prolene using Staple gun. Dressed with pressure dressing. Patient tolerated well. — eeg

MDM:

11/19
09:27 MSE Initiated by Provider. — eeg

11/19
12:12 Differential diagnosis: abrasion, closed head injury, concussion, contusion, dislocation, fracture, laceration, multiple trauma, sprain, Substance abuse. Data reviewed: vital signs, nurses notes, lab test result(s), radiologic studies. Data interpreted: Cardiac monitor: Normal rate. Counseling: I had a detailed discussion with the patient and/or guardian regarding: the historical points, exam findings, and any diagnostic results supporting the discharge/admit diagnosis, lab results, radiology results, the need for outpatient follow up, to return to the emergency department if symptoms worsen or persist or if there are any questions or concerns that arise at home. Response to treatment: the patient's symptoms have markedly improved after treatment. — eeg

11/19
09:46 Order name: POC GLU; Complete Time: 09:57 — EDMS

11/19
09:56 Order name: CMP; Complete Time: 10:53 — eeg

11/19
09:56 Order name: Complete Blood Count W/auto Diff; Complete Time: 10:53 — eeg

11/19
09:56 Order name: Thyroid Stimulating Hormone; Complete Time: 10:53 — eeg

11/19

11/19/17 12:14 Discharged to Home. Impression: Head Laceration/ Open wound of head, Hyperglycemia, unspecified.
- Condition is Stable.
- Discharge Instructions: Head Injury, Adult, Facial Laceration, Hyperglycemia, Easy-to-Read, Stitches, Staples, or Adhesive Wound Closure, Easy-to-Read.

- Medication Reconciliation form.
- Follow up: Private Physician; When: 2 - 3 days; Reason: Wound Recheck.
- Problem is new.
- Symptoms have improved.

Order Results:
Lab Order: POC GLU; SPEC'M 11/19/17 09:46
Test: POC GLU; Value: 435; Range: 65-100; Abnormal: Above high normal; Units: MG/DL; Status: F; Updated: 11/19 09:46
Lab Order: CMP; SPEC'M 11/19/17 10:11
Test: SODIUM; Value: 131; Range: 135-145; Abnormal: Below low normal; Units: MMOL/L; Status: F; Updated: 11/19 10:24
Test: POTASSIUM; Value: 4.4; Range: 3.5-5.0; Abnormal: ; Units: MMOL/L; Status: F; Updated: 11/19 10:24
Test: CHLORIDE; Value: 96; Range: 98-109; Abnormal: Below low normal; Units: MMOL/L; Status: F; Updated: 11/19 10:24
Test: CARBON DIOXIDE; Value: 26; Range: 20-30; Abnormal: ; Units: MMOL/L; Status: F; Updated: 11/19 10:24
Test: ANION GAP; Value: 9.0; Range: 1-10; Abnormal: ; Status: F; Updated: 11/19 10:24
Test: CALCIUM; Value: 9.0; Range: 8.5-10.3; Abnormal: ; Units: MG/DL; Status: F; Updated: 11/19 10:24
Test: BLOOD UREA NITROGEN; Value: 7; Range: 5-25; Abnormal: ; Units: MG/DL; Status: F; Updated: 11/19 10:34
Test: CREATININE; Value: 1.01; Range: 0.90-1.30; Abnormal: ; Units: MG/DL; Status: F; Updated: 11/19 10:34
Test: GLOMERULAR FILTRATION RATE; Value: 102; Abnormal: ; Status: F; Updated: 11/19 10:34
Test Note: 11/19 10:34 T nbsp;; Non-African American
Test: GLOMERULAR FILTRATION RATE-AA; Value: 118; Abnormal: ; Status: F; Updated: 11/19 10:34
Test Note: 11/19 10:34 T nbsp;; African American. eGFR UNITS: ml/min/1.73m2. *eGFR >= 60 = Normal GFR or mild decrease in GFR *eGFR 30-59 = Moderate decrease in GFR (Stage 3 CKD) *eGFR 15-29 = Severe decrease in GFR (Stage 4 CKD) *eGFR <15 = End-stage kidney failure (Stage 5 CKD) The equation has not been validated in patients >70 YRS OLD.
Test: TOTAL PROTEIN; Value: 7.8; Range: 6.0-8.0; Abnormal: ; Units: G/DL; Status: F; Updated: 11/19 10:34

Test: ALBUMIN; Value: 4.3; Range: 3.2-5.5; Abnormal: ; Units: G/DL; Status: F; Updated: 11/19 10:34
Test: ALB/GLOB RATIO; Value: 1.2; Range: 1.2-1.7; Abnormal: ; Units: RATIO; Status: F; Updated: 11/19 10:34
Test: GLOBULIN; Value: 3.5; Range: 2.5-3.9; Abnormal: ; Units: G/DL;

Status: F; Updated: 11/19 10:34
Test: BILIRUBIN, TOTAL; Value: 0.50; Range: 0.20-1.00; Abnormal: ;
Units: MG/DL; Status: F; Updated: 11/19 10:34
Test: SGOT/AST; Value: 27; Range: 10-42; Abnormal: ; Units: IU/L;
Status: F; Updated: 11/19 10:34
Test: SGPT/ALT; Value: 21; Range: 10-60; Abnormal: ; Units: IU/L;
Status: F; Updated: 11/19 10:34
Test: ALKALINE PHOSPHATASE; Value: 74; Range: 42-121; Abnormal: ;
Units: IU/L; Status: F; Updated: 11/19 10:34
Test: GLUCOSE, SERUM; Value: 459; Range: 65-100; Abnormal: Above
upper panic limits; Units: MG/DL; Status: F; Updated: 11/19 10:39
Test Note: 11/19 10:39 T nbsp;; CRITICAL RESULTS CALLED ON 11/19/17 AT
1035 TO: RINDY LAPRADE/RB/CALLED X 2 SNCE 1035 BY: CLIFTON,LYDIA C
Lab Order: Complete Blood Count W/auto Diff; SPEC'M 11/19/17 10:11
Test: WHITE BLOOD CELL; Value: 11.6; Range: 4.5-11.0; Abnormal: Above
high normal; Units: K/UL; Status: F; Updated: 11/19 10:18
Test: RED BLOOD CELL; Value: 5.32; Range: 4.50-5.90; Abnormal: ;
Units: M/UL; Status: F; Updated: 11/19 10:18
Test: HEMOGLOBIN; Value: 15.8; Range: 14.0-17.5; Abnormal: ; Units:
G/DL; Status: F; Updated: 11/19 10:18
Test: HEMATOCRIT; Value: 46.0; Range: 35.0-49.0; Abnormal: ; Units:
%; Status: F; Updated: 11/19 10:18
Test: MEAN CELL VOLUME; Value: 86.5; Range: 80-96; Abnormal: ; Units:
UM3; Status: F; Updated: 11/19 10:18
Test: MCH; Value: 29.7; Range: 27-32; Abnormal: ; Units: PG; Status:
F; Updated: 11/19 10:18
Test: MCHC; Value: 34.3; Range: 32-37; Abnormal: ; Units: G/DL;
Status: F; Updated: 11/19 10:18
Test: RELL CELL DISTRIBUTION WIDTH; Value: 13.1; Range: 11.5-14.5;
Abnormal: ; Units: %; Status: F; Updated: 11/19 10:18
Test: RDW STANDARD DEVIATION; Value: 41.1; Range: 35.1-43.9;
Abnormal: ; Units: fl; Status: F; Updated: 11/19 10:18
Test: PLATELETS; Value: 241; Range: 140-440; Abnormal: ; Units: K/UL;
Status: F; Updated: 11/19 10:18
Test: MEAN PLATELET VOLUME; Value: 10.8; Range: 7.4-10.4; Abnormal:
Above high normal; Units: fl; Status: F; Updated: 11/19 10:18
Test: SEGMENTED NEUTROPHIL PERCENT; Value: 84; Range: 37-80;
Abnormal: Above high normal; Units: %; Status: F; Updated: 11/19 10:18
Test: SEGMENTED NEUTROPHIL ABSOLUTE; Value: 9.77; Range: 1.5-6.8;
Abnormal: Above high normal; Units: K/UL; Status: F; Updated: 11/19
10:18
Test: LYMPHOCYTE PERCENT; Value: 10; Range: 10-50; Abnormal: ; Units:
%; Status: F; Updated: 11/19 10:18
Test: LYMPHOCYTES ABSOLUTE; Value: 1.10; Range: 1.0-4.0; Abnormal: ;
Units: K/UL; Status: F; Updated: 11/19 10:18
Test: MONOCYTE PERCENT; Value: 6; Range: 0-12; Abnormal: ; Units: %;
Status: F; Updated: 11/19 10:18
Test: MONOCYTE ABSOLUTE COUNT; Value: 0.64; Range: 0.2-1.0; Abnormal:

; Units: K/UL; Status: F; Updated: 11/19 10:18
Test: EOSINOPHIL PERCENT; Value: 0; Range: 0-7; Abnormal: ; Units: %;
Status: F; Updated: 11/19 10:18
Test: EOSINOPHIL ABSOLUTE; Value: 0.05; Range: 0.0-0.5; Abnormal: ;
Units: K/UL; Status: F; Updated: 11/19 10:18
Test: BASOPHIL PERCENT; Value: 0; Range: 0-2; Abnormal: ; Units: %;

Status: F; Updated: 11/19 10:18
Test: BASOPHIL ABSOLUTE; Value: 0.04; Range: 0.0-0.2; Abnormal: ;
Units: K/UL; Status: F; Updated: 11/19 10:18
Test: IMMATURE GRANS PERCENT; Value: 0.3; Abnormal: ; Units: %;
Status: F; Updated: 11/19 10:18
Test: IMMATURE GRANS ABSOLUTE; Value: 0.0; Range: 0.0-0.1; Abnormal:
; Status: F; Updated: 11/19 10:18
Lab Order: Thyroid Stimulating Hormone; SPEC'M 11/19/17 10:11
Test: THYROID STIMULATING HORMONE; Value: 1.29; Range: 0.34-5.60;
Abnormal: ; Units: uIU/ML; Status: F; Updated: 11/19 10:48
Lab Order: POC GLU; SPEC'M 11/19/17 10:13
Test: POC GLU; Value: 429; Range: 65-100; Abnormal: Above high
normal; Units: MG/DL; Status: F; Updated: 11/19 10:13

Radiology Order: Chest 1 View - Portable
Test: Chest 1 View - Portable
SOVAH HEALTH - MARTINSVILLE Name: HILL,BRIAN D ; RADIOLOGY DEPT Phys:
EKUBAN-GORDON,EDNA MD ; 320 HOSPTIAL DR DOB: 05/26/1990 Age: 27 Sex:
M ; MARTINSVILLE, VA 24112 Acct: MM7805836274 Loc: MM.ER ; PHONE #:
276-666-7223 Exam Date: 11/19/2017 Status: DEP ER ; FAX #:
276-666-7591 Radiology No: ; Unit No: MM00370912 ; EXAMS: EXAM
REASON: ; 000898111 CHEST 1 VIEW - PORTABLE Chest Tightness ;
PORTABLE CHEST ; HISTORY: Seizure. ; COMPARISON: 11/10/2015 ;
FINDINGS: The heart size and configuration are within normal limits ;
for age and portable technique. The lungs are clear. There is no ;
evidence of pleural effusions or pneumothorax. No acute bony ;
abnormality. ; IMPRESSION: No evidence of acute cardiopulmonary
disease. ; ** Electronically Signed by MAROON B KHOURY on 11/19/2017
at 1424 ** ; Reported by: DR. MAROON B KHOURY ; Signed by:
KHOURY,MAROON B ; ; CC: EDNA EKUBAN-GORDON MD ; ; Technologist: KYLEA
ANN KEATTS ; Transcribed Date/Time: 11/19/2017 (1146) ;
Transcriptionist: MMTRSPSB ; Orig Print D/T: S: 11/19/2017 (1424) ;
Reprint D/T: 11/19/2017 (1424) BATCH NO: N/A ;
Radiology Order: CT Head w/o Contrast
Test: CT Head w/o Contrast
SOVAH HEALTH - MARTINSVILLE Name: HILL,BRIAN D ; RADIOLOGY DEPT Phys:
EKUBAN-GORDON,EDNA MD ; 320 HOSPTIAL DR DOB: 05/26/1990 Age: 27 Sex:
M ; MARTINSVILLE, VA 24112 Acct: MM7805836274 Loc: MM.ER ; PHONE #:
276-666-7223 Exam Date: 11/19/2017 Status: DEP ER ; FAX #:
276-666-7591 Radiology No: ; Unit No: MM00370912 ; EXAMS: EXAM
REASON: ; 000898114 CT HEAD W/O CONTRAST ; UNENHANCED HEAD CT ;
HISTORY: Head injury. ; COMPARISON: 11/10/2015 ; TECHNIQUE: This CT
examination was performed using one or more of the ; following dose
reduction techniques: automated exposure control, ; adjustment of the
MA and/or KV according to patient size, and/or use ; of iterative
reconstruction techniques. ; Axial CT images were obtained through
the brain without the use of ; intravenous contrast. ; FINDINGS:

There is no evidence of acute infarct, intracranial ; hemorrhage, or
mass effect. Ventricles and sulci are normal for the ; patient's age.
Calvarium is intact. Visualized portions of the ; paranasal sinuses
and orbits are normal. ; IMPRESSION: Negative for acute intracranial
process. ; ** Electronically Signed by MAROON B KHOURY on 11/19/2017
at 1424 ** ; Reported by: DR. MAROON B KHOURY ; Signed by:
KHOURY,MAROON B ; ; CC: EDNA EKUBAN-GORDON MD ; ; Technologist:

HILL,BRIAN D
MM7805836274 PRE ER MM.ER
11/19/17 0850 UNKNOWN,UNKNOWN
DOB:05/26/90 27 M MR# MM00370912
Sovah Health - Martinsville

Sovah Health Martinsville

320 Hospital Drive
Martinsville, VA 24112
276-666-7237

11/9/67
97
98%
18

Emergency Department Instructions for: **Hill, Brian D**

Arrival Date: **Sunday, November 19, 2017**

Thank you for choosing **Sovah Health Martinsville** for your care today. The examination and treatment you have received in the Emergency Department today have been rendered on an emergency basis only and are not intended to be a substitute for an effort to provide complete medical care. You should contact your follow-up physician as it is important that you let him or her check you and report any new or remaining problems since it is impossible to recognize and treat all elements of an injury or illness in a single emergency care center visit.

Care provided by: Ekuban-Gordon, Edna, MD

Diagnosis: Head Laceration/ Open wound of head; Hyperglycemia, unspecified

DISCHARGE INSTRUCTIONS	FORMS
Head Injury, Adult Facial Laceration Hyperglycemia, Easy-to-Read Stitches, Staples, or Adhesive Wound Closure, Easy-to-Read	Medication Reconciliation
FOLLOW UP INSTRUCTIONS	**PRESCRIPTIONS**
Private Physician When: 2 - 3 days; Reason: Wound Recheck	None
SPECIAL NOTES	
None	

Suicide National Hotline: 1-800-273-8255 (800-273-TALK)

If you received a narcotic or sedative medication during your Emergency Department stay you should not drive, drink alcohol or operate heavy machinery for the next 8 hours as this medication can cause drowsiness, dizziness, and decrease your response time to events.

I hereby acknowledge that I have received a copy of my transition care record and understand the above instructions and prescriptions.

Brian D. Hill

Brian Hill
MRN # MM00370912

Bell Thornton, RN

ED Physician or Nurse
11/19/2017 12:14

X-RAYS and LAB TESTS:
If you had x-rays today they were read by the emergency physician. Your x-rays will also be read by a radiologist within 24 hours. If you

had a culture done it will take 24 to 72 hours to get the results. If there is a change in the x-ray diagnosis or a positive culture, we will contact you. Please verify your current phone number prior to discharge at the check out desk.

MEDICATIONS:
If you received a prescription for medication(s) today, it is important that when you fill this you let the pharmacist know all the other medications that you are on and any allergies you might have. It is also important that you notify your follow-up physician of all your medications including the prescriptions you may receive today.

TESTS AND PROCEDURES

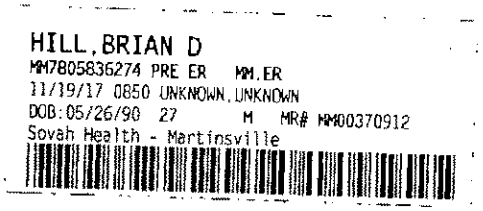
Labs
CMP, Complete Blood Count W/auto Diff, Thyroid Stimulating Hormone, POC GLU, POC GLU

Rad
CT Head w/o Contrast, Chest 1 View - Portable

Procedures
Blood Sugar, 12 Lead EKG, Laceration

Other
Seizure precautions, Accucheck, Cardiac Monitor, Apply to Pt, Pulse ox continuous, Oxygen at 2 L/NC, IV saline lock, EKG ED, Laceration repair set up

Chart Copy


HILL,BRIAN D
MM7805836274 PRE ER MM,ER
11/19/17 0850 UNKNOWN,UNKNOWN
DOB:05/26/90 27 M MR# MM00370912
Sovah Health - Martinsville

EMERGENCY DEPARTMENT RECORD
Nurse's Notes
Sovah Health Martinsville
Name: Brian Hill
Age: 27 yrs
Sex: Male
DOB: 05/26/1990
MRN: MM00370912
Arrival Date: 11/19/2017
Time: 08:51
Account#: MM7805836274
Bed ER 6
Private MD:
Diagnosis: Head Laceration/ Open wound of head;Hyperglycemia, unspecified

Presentation:
11/19
09:08 Presenting complaint: Patient states: had a seizure this morning due to low blood sugar, laceration to head per pt, bleeding controlled. Airway is patent with good air movement. The patient is breathing without difficulty. The patient is pink,warm and dry. Heart rate is within normal limits. Patient is alert and oriented to person, place and time, Patient is moving all extremities appropriately. ll
11/19
09:08 Acuity: Urgent (3) ll

Historical:
- Allergies: Ranitidine;
- Home Meds:
1. Unable to Obtain
- PMHx: OCD; autism; Diabetes - IDDM;
- Sepsis Screening:: Sepsis screening negative at this time.
- Social history:: Tobacco Status: The patient states he/she has never used tobacco. The patient's primary language is English. The patient's preferred language is English.
- Family history:: Reviewed and not pertinent.
- Exposure Risk/Travel Screening:: Patient has not been out of the country in last 30 days. Have you been in contact with anyone who is ill that has traveled outside of the country in the last 30 days? No.
- Suicide Screening:: Have you recently had thoughts about hurting yourself or others? No.
- Tuberculosis screening:: No symptoms or risk factors identified.

Screening:
11/19
09:41 Fall Risk: Total Points: Med. Risk (25-44);. Abuse Screen: Patient verbally denies physical, verbal and emotional abuse/neglect. There are no cultural/spiritual considerations for care for this patient. mkk

Assessment:
11/19

09:38 Complains of pain in face Pain does not radiate. Pain currently is 7 mkk

out of 10 on a pain scale. The level of pain that is acceptable is 0 out of 10 on a pain scale. General: Appears in no apparent distress, comfortable, well developed, well nourished, well groomed, Behavior is appropriate for age, cooperative, pleasant. Neuro: Reports headache. Neuro: Reports seizure due to low blood sugar. EENT: Denies. Cardiovascular: Denies. Respiratory: Denies. GI: Denies. GU: Denies. Derm: Denies. Musculoskeletal: Denies. Injury Description: Laceration sustained to face is clean, 0.5 to 2.5 cm long, not bleeding, was sustained 4-6 hours ago.

11/19
09:38 Method Of Arrival: EMS mkk

Vital Signs:

11/19
09:08 BP 131 / 76; Pulse 118; Resp 20; Temp 98.2; Pulse Ox 97% ; Weight 91.63 kg; Height 5 ft. 10 in. (177.80 cm); ll

11/19
09:46 mkk

11/19
10:59 BP 124 / 73; Pulse 93; Resp 18; Pulse Ox 100% on R/A; mkk

11/19
12:57 BP 119 / 67; Pulse 97; Resp 19; Pulse Ox 98% on R/A; pt3

11/19
09:08 Body Mass Index 28.98 (91.63 kg, 177.80 cm) ll

11/19
09:46 patient has OCD and had to do his "routines" prior to coming, has been about 4 hours since injury occured mkk

Glasgow Coma Score:

11/19
12:16 Eye Response: spontaneous(4). Verbal Response: oriented(5). Motor Response: obeys commands(6). Total: 15. eeg

ED Course:

11/19
08:51 Patient arrived in ED. knm

11/19
09:09 Rapid Initial Assessment completed. ll

11/19
09:27 Ekuban-Gordon, Edna, MD is Attending Physician. eeg

11/19
09:41 Patient has correct armband on for positive identification. Placed in gown. Bed in low position. Call light in reach. Side rails up X2. Adult with patient. Seizure precautions initiated. NIBP on. Pulse ox on. mkk

11/19
09:41 No physician assisted procedures were completed. mkk

11/19
10:01 Inserted saline lock: 20 gauge right arm blood drawn from IV and sent to lab per order. mkk

11/19
10:08 EKG Done By ED Tech 10:06 Reviewed by Physician Edna Ekuban-Gordon MD.bh

11/19
10:40 Critical Lab Value: Patient Name verified: Brian Hill, Patient DOB ll

Verified May 26, 1990 Critical value glucose 459reported read back to reporting lab personnel, and reported to Dr. Edna Ekuban-Gordon MD.
11/19
10:59 Assist provider with laceration repair Set up tray. mkk
11/19
11:53 Troncoso, Priscilla, RN is Primary Nurse. pt3

Administered Medications:
11/19
10:59 Drug: NS 0.9% 1000 ml Route: IV; Rate: 999 mL/hr; Site: right arm; mkk
11/19
12:59 Follow up: Response: No adverse reaction; IV Status: Completed infusion pt3
11/19
11:02 Drug: NovoLIN R 7 units {Co-Signature: mkk (Michaela Karet RN).} Route: IVP; Site: right arm; ll
11/19
12:58 Follow up: Response: No adverse reaction pt3

Point of Care Testing:
Blood Glucose:
11/19
09:40 Glucose Value: 489; mkk
11/19
09:43 Glucose Value: 435; mkk
11/19
09:40 test repeated mkk
Ranges:

Output:
11/19
11:28 Urine: 600ml (Voided); Total: 600ml. dab

Outcome:
11/19
12:14 Discharge ordered by Provider. eeg
11/19
12:57 Discharged to home ambulatory, with family. pt3
12:57 Instructions given to patient, parent, Instructed on discharge instructions. follow up and referral plans. . Patient and/or family voiced understanding of instructions using teach back method.
12:57 The patients' shirt, pants, shoes, socks and underwear were sent with the patient.
12:57 Discharge Assessment: Patient
12:57 Discharge Assessment: Patient has no functional deficits.
12:57 Discontinued IV lock intact, bleeding controlled, pressure dressing applied, No redness/swelling at site.
11/19
13:24 Patient left the ED. jkp

Signatures:
Harrison, Rindi, RN RN ll
Ekuban-Gordon, Edna, MD MD eeg

EMERGENCY DEPARTMENT RECORD
Physician Documentation
Sovah Health Martinsville
Name: Brian Hill
Age: 27 yrs
Sex: Male
DOB: 05/26/1990
MRN: MM00370912
Arrival Date: 11/19/2017
Time: 08:51
Account#: MM7805836274
Bed ER 6
Private MD:
ED Physician Ekuban-Gordon, Edna
HPI:
11/19
11:49 This 27 yrs old White Male presents to ER via EMS with complaints of Fall Injury. eeg
11/19
11:49 Onset: The symptoms/episode began/occurred today. Associated injuries: The patient sustained injury to the head. Associated signs and symptoms: Loss of consciousness: the patient experienced no loss of consciousness. Severity of symptoms: in the emergency department the symptoms are unchanged. Pain Management: Patient denies pain. The patient has experienced similar episodes in the past, a few times. The patient has not recently seen a physician. Family report history of low blood sugar, general low will have seizure episode when the blood sugar is low. Blood sugar was obtained by mom at 20 repeat 40 was subsequently given some oral glucose and brought here for further evaluation. Patient denies any headache palpitation no neck pain and stiffness. Admits to feeling like himself.. eeg

Historical:
- Allergies: Ranitidine;
- Home Meds:
1. Unable to Obtain
- PMHx: OCD; autism; Diabetes - IDDM;
- Sepsis Screening:: Sepsis screening negative at this time.
- Social history:: Tobacco Status: The patient states he/she has never used tobacco. The patient's primary language is English. The patient's preferred language is English.
- Family history:: Reviewed and not pertinent.
- Exposure Risk/Travel Screening:: Patient has not been out of the country in last 30 days. Have you been in contact with anyone who is ill that has traveled outside of the country in the last 30 days? No.
- Suicide Screening:: Have you recently had thoughts about hurting yourself or others? No.
- Tuberculosis screening:: No symptoms or risk factors identified.
- The history from nurses notes was reviewed: and I agree with what is documented up to this point.

ROS:

11/19
11:52 Eyes: Negative for injury, pain, redness, and discharge, ENT: eeg
Negative for injury, pain, and discharge, Neck: Negative for injury, pain, and swelling, Cardiovascular: Negative for chest pain, palpitations, and edema, Respiratory: Negative for shortness of breath, cough, wheezing, and pleuritic chest pain, Abdomen/GI: Negative for abdominal pain, nausea, vomiting, diarrhea, and constipation, Back: Negative for injury and pain, MS/Extremity: Negative for injury and deformity. All other systems are negative, except as documented below. Skin: Positive for laceration(s), of the face. Neuro: Negative for dizziness, headache, weakness. Psych: Negative for depression, alcohol dependence, homicidal ideation, suicide gesture.

Exam:
11/19
11:53 Eyes: Pupils equal round and reactive to light, extra-ocular motions eeg intact. Lids and lashes normal. Conjunctiva and sclera are non-icteric and not injected. Cornea within normal limits. Periorbital areas with no swelling, redness, or edema. ENT: Nares patent. No nasal discharge, no septal abnormalities noted. Tympanic membranes are normal and external auditory canals are clear. Oropharynx with no redness, swelling, or masses, exudates, or evidence of obstruction, uvula midline. Mucous membrane moist Neck: Trachea midline, no thyromegaly or masses palpated, and no cervical lymphadenopathy. Supple, full range of motion without nuchal rigidity, or vertebral point tenderness. No Meningismus. Chest/axilla: Normal chest wall appearance and motion. Nontender with no deformity. No lesions are appreciated. Cardiovascular: Regular rate and rhythm with a normal S1 and S2. ,no jvd No pulse deficits. Respiratory: Lungs have equal breath sounds bilaterally, clear to auscultation and percussion. No rales, rhonchi or wheezes noted. No increased work of breathing, no retractions or nasal flaring. Abdomen/GI: Soft, non-tender, with normal bowel sounds. No distension or tympany. No guarding or rebound. No evidence of tenderness throughout. Back: No spinal tenderness. No costovertebral tenderness. Full range of motion. MS/ Extremity: Pulses equal, no cyanosis. Neurovascular intact. Full, normal range of motion. Neuro: Awake and alert, GCS 15, oriented to person, place, time, and situation. Cranial nerves II-XII grossly intact. Motor strength 5/5 in all extremities. Sensory grossly intact. Cerebellar exam normal. Normal gait., slow, but appropriate Psych: Awake, alert, with orientation to person, place and time. Behavior, mood, and affect are within normal limits.
11:53 Constitutional: The patient appears alert, awake, non-diaphoretic.
11:53 Head/face: Noted is a laceration(s), that is linear, 3 cm(s).
11:53 Musculoskeletal/extremity: Extremities: all appear grossly normal, with no appreciated pain with palpation, ROM: intact in all extremities, Circulation is intact in all extremities. Sensation intact.
11:53 Psych: Behavior/mood is cooperative.

Vital Signs:
11/19

RUN DATE:11/23/17

DISCHARGE SUMMARY FOR MEDICAL RECORDS FOR LABORATORY

Patient: HILL,BRIAN D #MM7805836274 **(Continued)**

**********CHEMISTRY**********

Date / Time	11/19/17 1007			Reference	Units
BUN	7			(5-25)	MG/DL
CREATININE	1.01			(0.90-1.30)	MG/DL
eGFR NON-AA	102(A)				

(A) Non-African American

eGFR AA	118(B)				

(B) African American.
eGFR UNITS: ml/min/1.73m2.
*eGFR >= 60 = Normal GFR or mild decrease in GFR
*eGFR 30-59 = Moderate decrease in GFR (Stage 3 CKD)
*eGFR 15-29 = Severe decrease in GFR (Stage 4 CKD)
*eGFR <15 = End-stage kidney failure (Stage 5 CKD)

The equation has not been validated in patients >70 YRS OLD.

SODIUM	131 L			(135-145)	MMOL/L
POTASSIUM	4.4			(3.5-5.0)	MMOL/L
CHLORIDE	96 L			(98-109)	MMOL/L
CO2	26			(20-30)	MMOL/L
ANION GAP	9.0			(1-10)	
GLUCOSE	459(C) *H			(65-100)	MG/DL

(C) CRITICAL RESULTS CALLED ON 11/19/17
AT 1035 TO: RINDY LAPRADE/RB/CALLED X 2 SNCE 1035
BY: CLIFTON,LYDIA C

CALCIUM	9.0			(8.5-10.3)	MG/DL
TOTAL PROTEIN	7.8			(6.0-8.0)	G/DL
ALBUMIN	4.3			(3.2-5.5)	G/DL
AG	1.2			(1.2-1.7)	RATIO
GLOBULIN	3.5			(2.5-3.9)	G/DL
T BILI	0.50			(0.20-1.00)	MG/DL
SGOT/AST	27			(10-42)	IU/L
SGPT/ALT	21			(10-60)	IU/L
ALK PHOS	74			(42-121)	IU/L
TSH	1.29			(0.34-5.60)	uIU/ML

Patient: HILL,BRIAN D **Age/Sex:** 27/M **Acct#**MM7805836274 **Unit#**MM00370912

SOVAH HEALTH - MARTINSVILLE
RADIOLOGY DEPT
320 HOSPTIAL DR
MARTINSVILLE, VA 24112
PHONE #: 276-666-7223
FAX #: 276-666-7591

Name: HILL,BRIAN D
Phys: EKUBAN-GORDON,EDNA MD
DOB: 05/26/1990 Age: 27 Sex: M
Acct: MM7805836274 Loc: MM.ER
Exam Date: 11/19/2017 Status: DEP ER
Radiology No:
Unit No: MM00370912

EXAMS: EXAM REASON:
000898111 CHEST 1 VIEW - PORTABLE Chest Tightness

PORTABLE CHEST

HISTORY: Seizure.

COMPARISON: 11/10/2015

FINDINGS: The heart size and configuration are within normal limits for age and portable technique. The lungs are clear. There is no evidence of pleural effusions or pneumothorax. No acute bony abnormality.

IMPRESSION: No evidence of acute cardiopulmonary disease.

** Electronically Signed by MAROON B KHOURY on 11/19/2017 at 1424 **
Reported by: DR. MAROON B KHOURY
Signed by: KHOURY,MAROON B

CC: EDNA EKUBAN-GORDON MD

Technologist: KYLEA ANN KEATTS
Transcribed Date/Time: 11/19/2017 (1146)
Transcriptionist: MMTRSPSB
Orig Print D/T: S: 11/19/2017 (1424)
BATCH NO: N/A

HILL, BRIAN ID: 000370912 19-Nov-2017 10:06:44 Memorial Hospital of Martinsville

27years
Male Caucasian

Room: 6
Loc: 15

Vent. rate	105 bpm
PR interval	158 ms
QRS duration	92 ms
QT/QTc	328/433 ms
P-R-T axes	64 64 52

Sinus tachycardia
Possible Left atrial enlargement
Borderline ECG

(007)
Bed 6

T HILL,BRIAN D
MM7805836274 PRE ER MM.ER
11/19/17 0850 UNKNOWN,UNKNOWN
DOB:05/26/90 27 M MR# MM0037091Z
Sovah Health - Martinsville

Visit: MM7805836274
Secondary ID: MM216937
Referred by: EKUBAN-GORDON, EDNA

Order no.: 211090013
Unconfirmed

CHEST PAIN

I aVR V1 V4
II aVL V2 V5
III aVF V3 V6
II

100 Hz 25.0 mm/s 10.0 mm/mV 4 by 2.5s + 1 rhythm ld MAC55 010B 12SL™v241 HD

P/N 2009620-02+

EKG Scanned Page 1/1 Job 12468 (07/02/2019 14:03) - Page 35 Doc# 1
SOVAH Health - Martinsville
MM7805836274 11/19/2017 10:06:44

SOVAH HEALTH - MARTINSVILLE
320 HOSPITAL DRIVE - P.O. BOX 4788
MARTINSVILLE, VA 24112 (276)666-7360
CLIA NO. 49D0231853 RT CLIA NO. 4D0661287

RUN DATE:11/23/17

DISCHARGE SUMMARY FOR MEDICAL RECORDS FOR LABORATORY

CMAX: MM00370912~MM7805836274~LABDATA~20171123~LABDISMM1001869144~COCMMH~COCVAE~LAB.COCMMH~

PATIENT: HILL,BRIAN D
REG DR: EKUBAN-GORDON,EDNA MD

ACCT #: MM7805836274 **LOC:** MM.ER **U #:** MM00370912
AGE/SX: 27/M **ROOM:** **REG:** 11/19/17
DOB: 05/26/90 **BED:** **DIS:**
STATUS: DEP ER **TLOC:**

**********POINT OF CARE**********

Date	11/19/17			
Time	1006	0943	Reference	Units
POC GLU	429 H	435 H	(65-100)	MG/DL

**********HEMATOLOGY**********

Date	11/19/17		
Time	1007	Reference	Units
WBC	11.6 H	(4.5-11.0)	K/UL
RBC	5.32	(4.50-5.90)	M/UL
HGB	15.8	(14.0-17.5)	G/DL
HCT	46.0	(35.0-49.0)	%
MCV	86.5	(80-96)	UM3
MCH	29.7	(27-32)	PG
MCHC	34.3	(32-37)	G/DL
RDW	13.1	(11.5-14.5)	%
RDW-SD	41.1	(35.1-43.9)	fl
PLT	241	(140-440)	K/UL
MPV	10.8 H	(7.4-10.4)	fl
SEGS %	84 H	(37-80)	%
SEG ABSOLUTE	9.77 H	(1.5-6.8)	K/UL
LYMPH %	10	(10-50)	%
LYMPH ABSOLUTE	1.10	(1.0-4.0)	K/UL
MONO %	6	(0-12)	%
MONO ABSOLUTE	0.64	(0.2-1.0)	K/UL
EOS %	0	(0-7)	%
EOS ABSOLUTE	0.05	(0.0-0.5)	K/UL
BASO %	0	(0-2)	%
BASO ABSOLUTE	0.04	(0.0-0.2)	K/UL
IG %	0.3		%
IG ABSOLUTE	0.0	(0.0-0.1)	

09:08 BP 131 / 76; Pulse 118; Resp 20; Temp 98.2; Pulse Ox 97% ; Weight 91.63 kg; Height 5 ft. 10 in. (177.80 cm); ll

11/19

09:46 mkk

11/19

10:59 BP 124 / 73; Pulse 93; Resp 18; Pulse Ox 100% on R/A; mkk

11/19

12:57 BP 119 / 67; Pulse 97; Resp 19; Pulse Ox 98% on R/A; pt3

11/19

09:08 Body Mass Index 28.98 (91.63 kg, 177.80 cm) ll

11/19

09:46 patient has OCD and had to do his "routines" prior to coming, has been about 4 hours since injury occured mkk

Glasgow Coma Score:

11/19

12:16 Eye Response: spontaneous(4). Verbal Response: oriented(5). Motor Response: obeys commands(6). Total: 15. eeg

Laceration:

11/19

12:11 Wound Repair of 3cm (1.2in) subcutaneous laceration to forehead. Linear shaped.. No foreign body noted. Distal neuro/vascular/tendon intact. Anesthesia: Wound infiltrated with 3 mls of 1% lidocaine w/ Epi. Wound prep: Simple cleansing with betadine. Skin closed with 6 1-0 Prolene using Staple gun. Dressed with pressure dressing. Patient tolerated well. eeg

MDM:

11/19

09:27 MSE Initiated by Provider. eeg

11/19

12:12 Differential diagnosis: abrasion, closed head injury, concussion, contusion, dislocation, fracture, laceration, multiple trauma, sprain, Substance abuse. Data reviewed: vital signs, nurses notes, lab test result(s), radiologic studies. Data interpreted: Cardiac monitor: Normal rate. Counseling: I had a detailed discussion with the patient and/or guardian regarding: the historical points, exam findings, and any diagnostic results supporting the discharge/admit diagnosis, lab results, radiology results, the need for outpatient follow up, to return to the emergency department if symptoms worsen or persist or if there are any questions or concerns that arise at home. Response to treatment: the patient's symptoms have markedly improved after treatment. eeg

11/19

09:46 Order name: POC GLU; Complete Time: 09:57 EDMS

11/19

09:56 Order name: CMP; Complete Time: 10:53 eeg

11/19

09:56 Order name: Complete Blood Count W/auto Diff; Complete Time: 10:53 eeg

11/19

09:56 Order name: Thyroid Stimulating Hormone; Complete Time: 10:53 eeg

11/19

11/19/17 12:14 Discharged to Home. Impression: Head Laceration/ Open wound of head, Hyperglycemia, unspecified.
- Condition is Stable.
- Discharge Instructions: Head Injury, Adult, Facial Laceration, Hyperglycemia, Easy-to-Read, Stitches, Staples, or Adhesive Wound Closure, Easy-to-Read.

- Medication Reconciliation form.
- Follow up: Private Physician; When: 2 - 3 days; Reason: Wound Recheck.
- Problem is new.
- Symptoms have improved.

Order Results:
Lab Order: POC GLU; SPEC'M 11/19/17 09:46
Test: POC GLU; Value: 435; Range: 65-100; Abnormal: Above high normal; Units: MG/DL; Status: F; Updated: 11/19 09:46
Lab Order: CMP; SPEC'M 11/19/17 10:11
Test: SODIUM; Value: 131; Range: 135-145; Abnormal: Below low normal; Units: MMOL/L; Status: F; Updated: 11/19 10:24
Test: POTASSIUM; Value: 4.4; Range: 3.5-5.0; Abnormal: ; Units: MMOL/L; Status: F; Updated: 11/19 10:24
Test: CHLORIDE; Value: 96; Range: 98-109; Abnormal: Below low normal; Units: MMOL/L; Status: F; Updated: 11/19 10:24
Test: CARBON DIOXIDE; Value: 26; Range: 20-30; Abnormal: ; Units: MMOL/L; Status: F; Updated: 11/19 10:24
Test: ANION GAP; Value: 9.0; Range: 1-10; Abnormal: ; Status: F; Updated: 11/19 10:24
Test: CALCIUM; Value: 9.0; Range: 8.5-10.3; Abnormal: ; Units: MG/DL; Status: F; Updated: 11/19 10:24
Test: BLOOD UREA NITROGEN; Value: 7; Range: 5-25; Abnormal: ; Units: MG/DL; Status: F; Updated: 11/19 10:34
Test: CREATININE; Value: 1.01; Range: 0.90-1.30; Abnormal: ; Units: MG/DL; Status: F; Updated: 11/19 10:34
Test: GLOMERULAR FILTRATION RATE; Value: 102; Abnormal: ; Status: F; Updated: 11/19 10:34
Test Note: 11/19 10:34 T nbsp;; Non-African American
Test: GLOMERULAR FILTRATION RATE-AA; Value: 118; Abnormal: ; Status: F; Updated: 11/19 10:34
Test Note: 11/19 10:34 T nbsp;; African American. eGFR UNITS: ml/min/1.73m2. *eGFR >= 60 = Normal GFR or mild decrease in GFR *eGFR 30-59 = Moderate decrease in GFR (Stage 3 CKD) *eGFR 15-29 = Severe decrease in GFR (Stage 4 CKD) *eGFR <15 = End-stage kidney failure (Stage 5 CKD) The equation has not been validated in patients >70 YRS OLD.
Test: TOTAL PROTEIN; Value: 7.8; Range: 6.0-8.0; Abnormal: ; Units: G/DL; Status: F; Updated: 11/19 10:34

Test: ALBUMIN; Value: 4.3; Range: 3.2-5.5; Abnormal: ; Units: G/DL; Status: F; Updated: 11/19 10:34
Test: ALB/GLOB RATIO; Value: 1.2; Range: 1.2-1.7; Abnormal: ; Units: RATIO; Status: F; Updated: 11/19 10:34
Test: GLOBULIN; Value: 3.5; Range: 2.5-3.9; Abnormal: ; Units: G/DL;

Status: F; Updated: 11/19 10:34
Test: BILIRUBIN, TOTAL; Value: 0.50; Range: 0.20-1.00; Abnormal: ;
Units: MG/DL; Status: F; Updated: 11/19 10:34
Test: SGOT/AST; Value: 27; Range: 10-42; Abnormal: ; Units: IU/L;
Status: F; Updated: 11/19 10:34
Test: SGPT/ALT; Value: 21; Range: 10-60; Abnormal: ; Units: IU/L;
Status: F; Updated: 11/19 10:34
Test: ALKALINE PHOSPHATASE; Value: 74; Range: 42-121; Abnormal: ;
Units: IU/L; Status: F; Updated: 11/19 10:34
Test: GLUCOSE, SERUM; Value: 459; Range: 65-100; Abnormal: Above
upper panic limits; Units: MG/DL; Status: F; Updated: 11/19 10:39
Test Note: 11/19 10:39 T nbsp;; CRITICAL RESULTS CALLED ON 11/19/17 AT
1035 TO: RINDY LAPRADE/RB/CALLED X 2 SNCE 1035 BY: CLIFTON,LYDIA C
Lab Order: Complete Blood Count W/auto Diff; SPEC'M 11/19/17 10:11
Test: WHITE BLOOD CELL; Value: 11.6; Range: 4.5-11.0; Abnormal: Above
high normal; Units: K/UL; Status: F; Updated: 11/19 10:18
Test: RED BLOOD CELL; Value: 5.32; Range: 4.50-5.90; Abnormal: ;
Units: M/UL; Status: F; Updated: 11/19 10:18
Test: HEMOGLOBIN; Value: 15.8; Range: 14.0-17.5; Abnormal: ; Units:
G/DL; Status: F; Updated: 11/19 10:18
Test: HEMATOCRIT; Value: 46.0; Range: 35.0-49.0; Abnormal: ; Units:
%; Status: F; Updated: 11/19 10:18
Test: MEAN CELL VOLUME; Value: 86.5; Range: 80-96; Abnormal: ; Units:
UM3; Status: F; Updated: 11/19 10:18
Test: MCH; Value: 29.7; Range: 27-32; Abnormal: ; Units: PG; Status:
F; Updated: 11/19 10:18
Test: MCHC; Value: 34.3; Range: 32-37; Abnormal: ; Units: G/DL;
Status: F; Updated: 11/19 10:18
Test: RELL CELL DISTRIBUTION WIDTH; Value: 13.1; Range: 11.5-14.5;
Abnormal: ; Units: %; Status: F; Updated: 11/19 10:18
Test: RDW STANDARD DEVIATION; Value: 41.1; Range: 35.1-43.9;
Abnormal: ; Units: fl; Status: F; Updated: 11/19 10:18
Test: PLATELETS; Value: 241; Range: 140-440; Abnormal: ; Units: K/UL;
Status: F; Updated: 11/19 10:18
Test: MEAN PLATELET VOLUME; Value: 10.8; Range: 7.4-10.4; Abnormal:
Above high normal; Units: fl; Status: F; Updated: 11/19 10:18
Test: SEGMENTED NEUTROPHIL PERCENT; Value: 84; Range: 37-80;
Abnormal: Above high normal; Units: %; Status: F; Updated: 11/19 10:18
Test: SEGMENTED NEUTROPHIL ABSOLUTE; Value: 9.77; Range: 1.5-6.8;
Abnormal: Above high normal; Units: K/UL; Status: F; Updated: 11/19
10:18
Test: LYMPHOCYTE PERCENT; Value: 10; Range: 10-50; Abnormal: ; Units:
%; Status: F; Updated: 11/19 10:18
Test: LYMPHOCYTES ABSOLUTE; Value: 1.10; Range: 1.0-4.0; Abnormal: ;
Units: K/UL; Status: F; Updated: 11/19 10:18
Test: MONOCYTE PERCENT; Value: 6; Range: 0-12; Abnormal: ; Units: %;
Status: F; Updated: 11/19 10:18
Test: MONOCYTE ABSOLUTE COUNT; Value: 0.64; Range: 0.2-1.0; Abnormal:

; Units: K/UL; Status: F; Updated: 11/19 10:18
Test: EOSINOPHIL PERCENT; Value: 0; Range: 0-7; Abnormal: ; Units: %;
Status: F; Updated: 11/19 10:18
Test: EOSINOPHIL ABSOLUTE; Value: 0.05; Range: 0.0-0.5; Abnormal: ;
Units: K/UL; Status: F; Updated: 11/19 10:18
Test: BASOPHIL PERCENT; Value: 0; Range: 0-2; Abnormal: ; Units: %;

Status: F; Updated: 11/19 10:18
Test: BASOPHIL ABSOLUTE; Value: 0.04; Range: 0.0-0.2; Abnormal: ;
Units: K/UL; Status: F; Updated: 11/19 10:18
Test: IMMATURE GRANS PERCENT; Value: 0.3; Abnormal: ; Units: %;
Status: F; Updated: 11/19 10:18
Test: IMMATURE GRANS ABSOLUTE; Value: 0.0; Range: 0.0-0.1; Abnormal:
; Status: F; Updated: 11/19 10:18
Lab Order: Thyroid Stimulating Hormone; SPEC'M 11/19/17 10:11
Test: THYROID STIMULATING HORMONE; Value: 1.29; Range: 0.34-5.60;
Abnormal: ; Units: uIU/ML; Status: F; Updated: 11/19 10:48
Lab Order: POC GLU; SPEC'M 11/19/17 10:13
Test: POC GLU; Value: 429; Range: 65-100; Abnormal: Above high
normal; Units: MG/DL; Status: F; Updated: 11/19 10:13

Radiology Order: Chest 1 View - Portable
Test: Chest 1 View - Portable
SOVAH HEALTH - MARTINSVILLE Name: HILL,BRIAN D ; RADIOLOGY DEPT Phys:
EKUBAN-GORDON,EDNA MD ; 320 HOSPTIAL DR DOB: 05/26/1990 Age: 27 Sex:
M ; MARTINSVILLE, VA 24112 Acct: MM7805836274 Loc: MM.ER ; PHONE #:
276-666-7223 Exam Date: 11/19/2017 Status: DEP ER ; FAX #:
276-666-7591 Radiology No: ; Unit No: MM00370912 ; EXAMS: EXAM
REASON: ; 000898111 CHEST 1 VIEW - PORTABLE Chest Tightness ;
PORTABLE CHEST ; HISTORY: Seizure. ; COMPARISON: 11/10/2015 ;
FINDINGS: The heart size and configuration are within normal limits ;
for age and portable technique. The lungs are clear. There is no ;
evidence of pleural effusions or pneumothorax. No acute bony ;
abnormality. ; IMPRESSION: No evidence of acute cardiopulmonary
disease. ; ** Electronically Signed by MAROON B KHOURY on 11/19/2017
at 1424 ** ; Reported by: DR. MAROON B KHOURY ; Signed by:
KHOURY,MAROON B ; ; CC: EDNA EKUBAN-GORDON MD ; ; Technologist: KYLEA
ANN KEATTS ; Transcribed Date/Time: 11/19/2017 (1146) ;
Transcriptionist: MMTRSPSB ; Orig Print D/T: S: 11/19/2017 (1424) ;
Reprint D/T: 11/19/2017 (1424) BATCH NO: N/A ;
Radiology Order: CT Head w/o Contrast
Test: CT Head w/o Contrast
SOVAH HEALTH - MARTINSVILLE Name: HILL,BRIAN D ; RADIOLOGY DEPT Phys:
EKUBAN-GORDON,EDNA MD ; 320 HOSPTIAL DR DOB: 05/26/1990 Age: 27 Sex:
M ; MARTINSVILLE, VA 24112 Acct: MM7805836274 Loc: MM.ER ; PHONE #:
276-666-7223 Exam Date: 11/19/2017 Status: DEP ER ; FAX #:
276-666-7591 Radiology No: ; Unit No: MM00370912 ; EXAMS: EXAM
REASON: ; 000898114 CT HEAD W/O CONTRAST ; UNENHANCED HEAD CT ;
HISTORY: Head injury. ; COMPARISON: 11/10/2015 ; TECHNIQUE: This CT
examination was performed using one or more of the ; following dose
reduction techniques: automated exposure control, ; adjustment of the
MA and/or KV according to patient size, and/or use ; of iterative
reconstruction techniques. ; Axial CT images were obtained through
the brain without the use of ; intravenous contrast. ; FINDINGS:

There is no evidence of acute infarct, intracranial ; hemorrhage, or
mass effect. Ventricles and sulci are normal for the ; patient's age.
Calvarium is intact. Visualized portions of the ; paranasal sinuses
and orbits are normal. ; IMPRESSION: Negative for acute intracranial
process. ; ** Electronically Signed by MAROON B KHOURY on 11/19/2017
at 1424 ** ; Reported by: DR. MAROON B KHOURY ; Signed by:
KHOURY,MAROON B ; ; CC: EDNA EKUBAN-GORDON MD ; ; Technologist:

EXHIBIT 3

In the Court of Appeals of Virginia
In the City of Richmond

Brian David Hill,	)	
Petitioner/Defendant	)	
	)	**Criminal Action No. CR19000009-00**
v.	)	
	)	
Commonwealth of Virginia,	)	**Civil Action No. _____**
Respondent/Plaintiff	)	
	)	
	)	

DECLARATION OF ROBERTA HILL IN SUPPORT OF THE PETITIONER BRIAN DAVID HILL'S PETITION FOR THE WRIT OF ACTUAL INNOCENCE

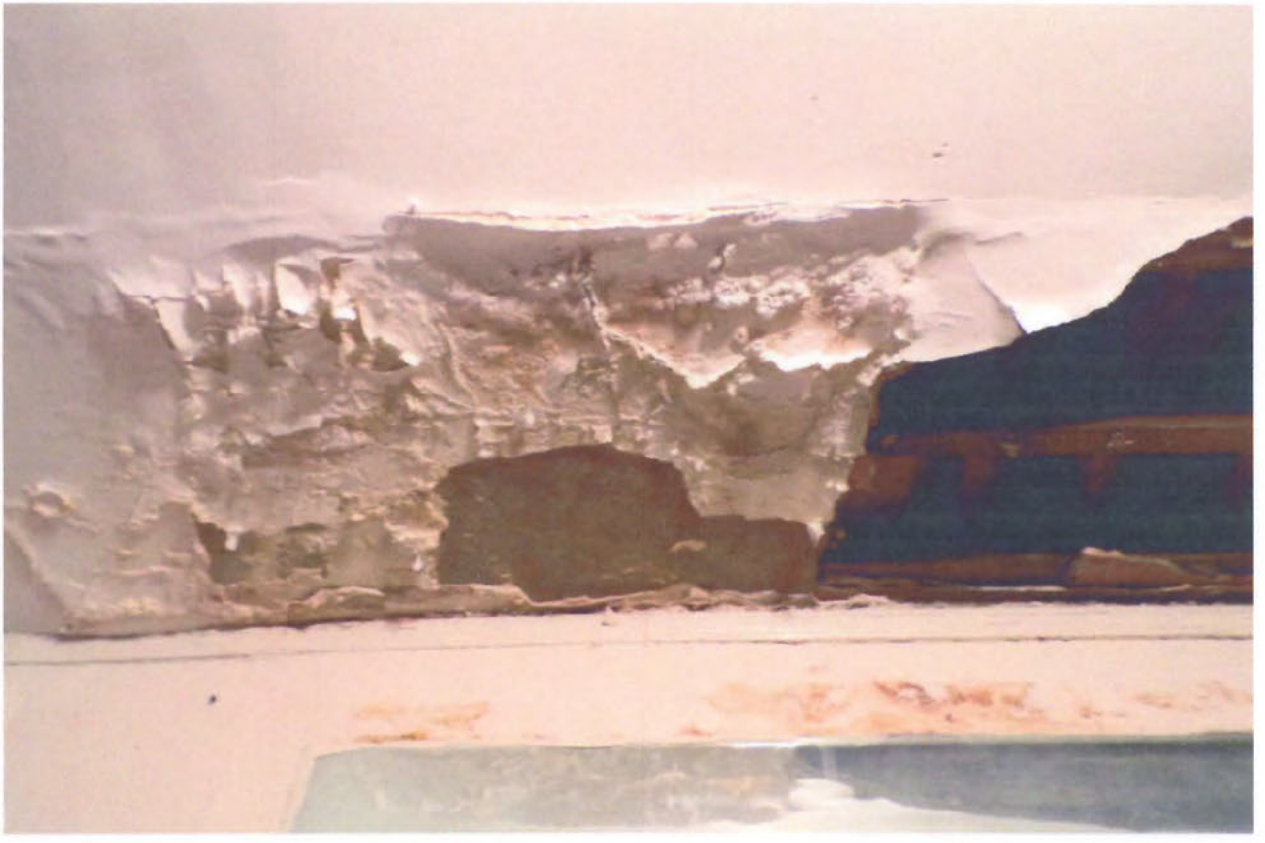
I, Roberta Hill, being first duly sworn upon oath, do hereby depose and state:

On September 21, 2018, I woke up around 4 am hearing a knock at the door. A police officer informed me that they had found my son 2 miles away from home on a walking trail. He said that they took him to the hospital. He asked me if my son was autistic, and I answered "yes".

On January 20, 2019, I had a fireplace expert named Pete Compton of ACE Chimney & Wildlife come out to check on some water damage near the fireplace and he found out that the chimney had been completely covered in tin. He told me that carbon monoxide was coming into my apartment and my son's apartment. He said it condenses and that is what was causing the water damage in the ceiling next to the fireplace in my son's apartment.

Photos I had taken are below.







I declare under penalty of perjury that the foregoing is true and correct.

Executed this 9th day of January, 2022.

Roberta Hill

Signed

Roberta Hill
310 Forest Street, Apartment 1
Martinsville, Virginia 24112
(276) 790-3505

March 21, 2019 201 Greyson St, Martinsville, VA 24112

Dr. Graney,

We got a letter from Brian yesterday, and he asked us to send photos of the damage on the ceiling and walls around his fireplace in the living room of the apartment where he has been living since May, 2016. There was also white residual inside of his fireplace. The chimney expert who found the carbon monoxide damage said that this could be cleaned with detergent & water so Brian's mom has already cleaned that. It needed months to dry before repairs. There is a carpenter lined up to repair it around April 20th. It was the young son of the owner of the chimney company in Rocky Mount, VA who was sent to clean the fireplace (chimney sweep) and to put screen on all 3 holes to keep birds out of the fireplace; instead he put tin over all 3 holes including the hole for the natural gas heater and the gas water heater in the basement leaving no where for the gas and water steam to escape in October, 2017. None of us were aware that there was tin there and thought it was screen. This took care of the bird problem.

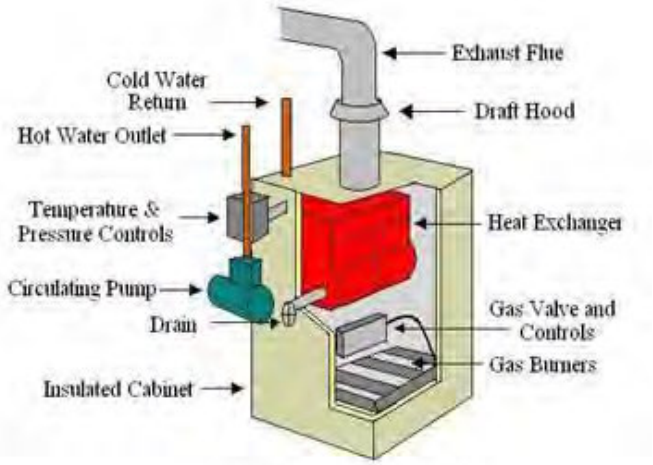
In December, 2017 or January, 2018 there was a snow storm, and that was when we noticed the damage in the ceiling of Brian's apartment but no damage in his mom's ceiling above her fireplace in her apartment. We thought it was odd that there were no problems until the chimney people came. It continued getting worse through the winter, so in the spring Roberta cocked the foundation around her porch because we thought it looked like a foundation problem, not a roof problem because there was no water damage on Roberta's ceiling. Brian's ceiling was below his mom's apartment. After this the problem got worse. Brian's OCD was getting worse too. He was having a diarrhea problem and was using the hot water 6 to 8 hours a day. This is a gas hot water heater with nowhere for the gas & steam to escape. It was escaping apparently through both fireplaces leaving damage in the ceiling in Brian's apartment below the brick (hearth) on the floor in front of Roberta's apartment and all along the walls below Roberta's fireplace into the walls beside of Brian's fireplace (both sides) and the top above the mirror. At the time, it just looked like rain water. We thought eventually half of the ceiling in

Brian's apartment would have water damage. Looking at the photos now, you can clearly see that it is from the gas heaters, not rain and just covered under the hearth of Roberta's fireplace above Brian's on his ceiling so both were effected but up in Roberta's apartment, you couldn't see the damage.

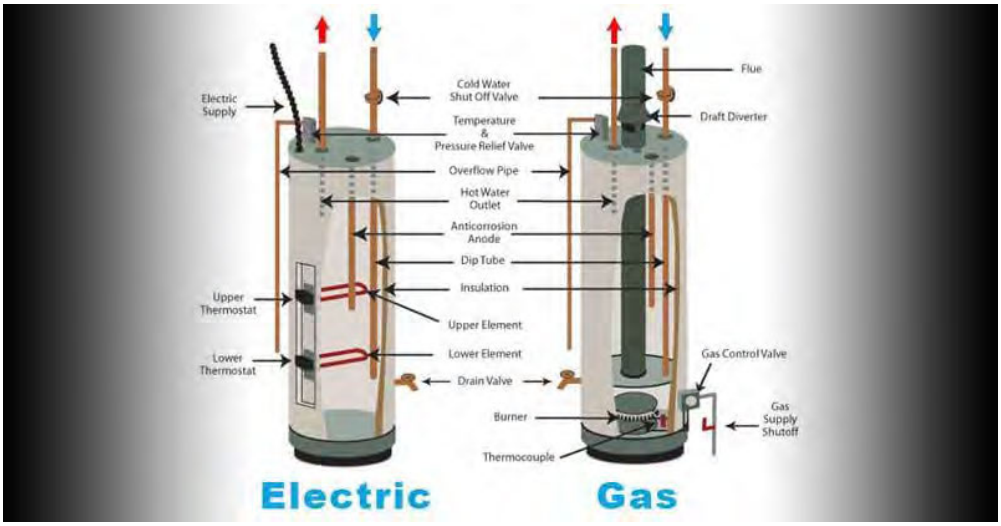
Both Roberta & Brian were complaining about not feeling well, being weak and very tired. We (Brian's grandparents) were moving from one house to another in Martinsville, VA during this time, and Roberta couldn't understand where we got our energy in our 70's when she & Brian were so tired. Roberta tried to help us from time to time with the move, but she couldn't hold out like we could. Both of us are disabled and elderly and are slow and took months for this move. She was always before this stronger than we were. Her head was shaking a lot. We thought it was stress from taking care of Brian and not being able to get much sleep or rest. Brian kept complaining that he couldn't think straight. The cats' personalities had changed, but yet none of us even thought that all of the moisture damage around the fireplace was damage from the moisture & natural gas required to run the natural gas boiler furnace downstairs and the natural gas hot water heater. Now that we know the facts, we all feel bad and guilty for what all has happened to Brian. It takes a long time in Martinsville, VA to locate carpenters and wait for prices and for them to do any work on homes. We also are glad that Brian no longer came back to his house in September, 2018 due to the fact that the carbon monoxide poisoning with the use of the heater through the winter and from the hot water heater was not discovered until January, 2019.

There were many threats due to Brian's fighting to get off from false federal charges. He was set-up with child porn on his computer in 2012, and he and his family have been putting proof in the court with his 2255 since November, 2017 of his innocence, and there have been strange things happening after this date, but then along with the threats (including death threats and threats of putting more child porn in Brian's email after he is released to keep him on the sex registry, sending threats in emails to Brian's family & attorneys and actually sending and bragging about it to Brian and other alternative news people and to Brian's friends after Brian appealed his case in 2015 and the hate cards and letter sent from Nashville, TN with no return address to Brian's mom after we filed the 2255 in Nov. 2017 from Dec. 2017 till May, 2018 and the fake 911 calls in July, 2018 & police coming to the house about the calls that they didn't make.

We wanted to include more information to go along with the photos. We have had natural gas heaters and don't know much about natural gas boiler heaters. Found some photos on the internet to show here of similar in their house.



Gas Hot Water Boiler



(gas Boiler furnace & gas hot water heater).

You can now see what is on top of the chimney. The tin has been removed from the hole above the gas hot water boiler (furnace) and the gas hot water heater. The chimney guy from Basset, VA who has done this type of work for 25 years who took the tin off in Jan. 2019 and put the chimney cap on top of their chimney in Feb. 2019 had us to climb on the ladder and showed us what he saw. This is now what you can see from the road, and we now know that it is vented – not even screen on the top of the furnace & water heater venting hole.



This is a similar top photo from the Internet of the chimney cap that was put on the top of Roberta's & Brian's chimney covering all 3 holes with screen on the side.

We are including 7 photos Brian's mom, Roberta took last night (March 20. 2019) of the ceiling & walls showing damage around Brian's fireplace in his living room in his apartment.

Brian's grandparents,

Stella & Ken Forinash

Copy sent to Brian David Hill and 7 photos mailed to Brian.











EXHIBIT 4

Close Print

BRIAN HILL (174826) [DOB: 5/26/1990]

DIAGNOSIS			
Axis/Order	Axis 3/1	Diagnosis	(F42.9) Obsessive-compulsive disorder, unspecified
Axis/Order	Axis 3/2	Diagnosis	(F84.0) Autistic disorder
Axis/Order	Axis 3/3	Diagnosis	(F29) Unspecified psychosis not due to a substance or known physiological condition
Axis/Order	Axis 3/4	Diagnosis	(F41.1) Generalized anxiety disorder
WHODAS 2.0 General Disability			
	Assessment Date	General Raw Score	General Average Score
	Score description	Raw Score	Average Score
	Cognition		
	Mobility		
	Self-care		
	Getting along		
	Life activities		
	Participation		

Piedmont Community Services

13 MOSS ST SOUTH
MARTINSVILLE, VA 24112

Client Name:	**BRIAN HILL**	SSN/Acct #	**[redacted]0319 / 174826**
Address:	**310 FOREST ST APT 2 MARTINSVILLE VA 24112-4939**	Date/Time:	**10/24/2018 9:51 AM to 10:23 AM**
Insurance:		Employee Name:	**CONRAD DAUM / MD**
Diagnosis:		Visit Type/CPT	**Med Note [Jail] / Nonbill**
DOB	**5/26/1990**		
Notes:	**Non-Face-to-Face Service**		

HISTORY

Chief Complaint: Notes:
"guy in hodie threatened to kill my mother if I didn't do what he said" "meltdown" He was arrested for walking down the street naked and charged with a probation violation.

History of Present Illness (HPI): Notes:
local is mental, quality he agreed to zyprexa and zoloft. severity moderate, duration 1st admit 2013 ONLY, time of tx start here 2013, context jail inmate. associated he was convicted for child porn and is on sex registry. He believes he was convicted unfairly by a conspiracy of the court officials. He believes Critical documents proving his innocence were deliberately destroyed. Modify is tx accepted, ills see med hx.

Past Medical / Family Medical / Social Hx: .
LEGAL HX: He would only discuss the child pron and probation violation convictions.

PSYCH HX: He tried suicide, but no family hx, he denied wanting to harm self or others the past month. He denied any SUD or tobacco, Hx autism, OCD, GAD

MEDICAL HX: Diabetes, IBS, Eczema, op only wisdom teeth, no fx hx, hypoglycemic seizures, hx concussions during seizures.

FAMILY HX: 0 kids, 1/2 sisters=2, 0 brothers, mom living, dad hx unknown no hx of inpatient , SUD, jail. Hx Hypertension, ulcerative colitis,

SOCIAL HX: born Orlando FL, raised NC, some HS, single, no church, on disability, lives alone with caretaker's help.

Review of Symptons (ROS)

Constitutional: Notes:
sleeping ok

Eyes: Notes:
see ok

Ears, Nose, Mouth, Throat: Notes:
hear ok

Cardiovascular: Notes:
no chest pain

Respiratory: Notes:
breathing ok

Musculoskeletal: Notes:
no LBP

Integumentary (skin and/or breast): Notes:
no tattoos

Neurological: Notes:
seizure hx and diabetic foot neuropathy

Endocrine: Notes:
diabetes

Hematologic/Lymphatic: Notes:
no nodes

Allergic/Immunologic: Notes:
allergy see list

Genitourinary: Notes:
bladder frequency

Gastrointestinal: Notes:
GERD SX, episodic diarrhea

EXAM

Constitutional Vital Signs:

Musculoskeletal

Muscle strength and tone: Notes
ok

Gait and station: Notes
ok

Behavior
Appearance: Well-groomed
Activity: Normal
Attitude: Cooperative
Articulation (Speech): Normal Rate, Rhythm, Volume
Sensorium
Consciousness: Alert
Orientation: Full
Memory: Intact
Attention/Concentration: Adequate
Emotion
Affect: Comfortable and Reactive
Mood: Euthymic
Congruency: Congruent
Suicidal Ideation: None
Homicidal Ideation: None
Thought
Thought Process: Goal-directed
Thought Content: Delusional
Intelligence: Average
(based upon fund of knowledge, comprehension, and vocabulary)
Insight: Full
Judgement: Intact
Perception: Normal
Impression
Brief summary of present status of case: Notes
aims=0

DIAGNOSES

Current Diagnoses:
Effective Date : 10/24/2018
1 (F42.9) Obsessive-compulsive disorder, unspecified
Diagnosed By : **Diagnosed Date :**
Onset Date : **Previous Onset Date :**
Onset Prior to Admission:
R/O: No
Notes:
Date Updated: 03/21/2017
SNOMED: -

2 (F84.0) Autistic disorder
Diagnosed By : **Diagnosed Date :**
Onset Date : **Previous Onset Date :**
Onset Prior to Admission:
R/O: No
Notes:
Date Updated: 03/02/2016
SNOMED: -

3 (F29) Unspecified psychosis not due to a substance or known physiological condition
Diagnosed By : **Diagnosed Date :**
Onset Date : **Previous Onset Date :**
Onset Prior to Admission:
R/O: No
Notes:

Date Updated: 10/24/2018
SNOMED: -

4 (F41.1) Generalized anxiety disorder
Diagnosed By : **Diagnosed Date :**
Onset Date : **Previous Onset Date :**
Onset Prior to Admission:
R/O: No
Notes: BRITTLE DIABETES
Date Updated: 10/24/2018
SNOMED: -

WHODAS 2.0 General Disability **Assessment Date:**
Raw Score: **Avg Score:**
Cognition:
Mobility:
Self-care:
Getting along:
Life activities:
Participation:

Psych Diagnoses & Status

Diagnosis: all

Status: Stable

Medical Diagnoses & Status

COLUMBIA ASSESSMENT

1) Wished to be Dead:
Have you wished you were dead or wished you could go to sleep and not wake up?: No

2) Suicidal Thoughts:
Have you actually had any thoughts of killing yourself?: No

6) Suicidal Behavior Question:
Have you ever done anything, started to do anything, or prepared to do anything to end your life?: Yes

Was this within the past three months? (please explain): No

SUMMARY

Service Modality: Non-Face-to-Face Service

Current Medications:
Medication:insulin aspart U-100 100 unit/mL subcutaneous solution
Start Date:10/24/2018
Dosage:
Frequency:

Medication:olanzapine 2.5 mg tablet
Start Date:10/24/2018
Sig: Take 1 Caplet By Oral Route 1 time at bedtime for mood swings

Medication:sertraline 50 mg tablet
Start Date:10/24/2018
Sig: Take 1 Caplet By Oral Route 1 time after breakfast for anxiety

Plan

Medication Changes: .

Next Appointment: Date
pm

E/M Level: 5

E/M Score: 5

Employee Signature

C Daum MD

10/24/18 2:51 PM
CONRAD DAUM - MD
MD

C Daum MD

Supervisor's Signature
Approved by CDAUM on 10/24/18
CONRAD DAUM, MD, MD

condition, procedure, doctor name...

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Condition, procedure, doctor name...

location

zip code or city

insurance

Insurance carrier and plan

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Conrad Daum, MD

Psychiatrist

Radford, VA

Conrad Daum, MD is a Psychiatrist in Radford, VA. Conrad Daum completed their Residency at Wake Forest U Baptist Medical Center. Following their education, Conrad Daum was board certified by the American Board of Psychiatry.

Conrad Daum, MD does not participate in Zocdoc to offer online booking at this time.

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Psychiatrist

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Psychiatrist

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Dr. Sahar Zaidi, MD

VIDEO VISIT

Psychiatrist

★★★★★ (8)

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Education and background

Specialties

Psychiatrist

Board certifications

American Board of Psychiatry Certification in Psychiatry

American Board of Addiction Psychiatry Certification in Addiction Psychiatry

American Board of Forensic Psychiatry Certification in Forensic Psychiatry

American Board of Geriatric Psychiatry Certification in Geriatric Psychiatry

Education and training

University Of Kentucky College Of Medicine (Medical School)

Wake Forest U Baptist Medical Center (Residency)

2948

NPI number ⓘ

Conrad Daum's office location

401 W Main St
Radford, VA 24141

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Conrad Daum does not participate in Zocdoc to offer online booking at this time. Choose from thousands of doctors on Zocdoc and book an appointment online for free.

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- Cigna
- Cigna Dental
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- Cardiologist
- Neurologist
- Orthopedic Surgeon
- Ophthalmologist

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WARRANT OF ARREST—MISDEMEANOR (LOCAL)

COMMONWEALTH OF VIRGINIA Va. Code § 19.2-71, -72

Martinsville
CITY OR COUNTY

☒ General District Court ☒ Criminal ☐ Traffic
☐ Juvenile and Domestic Relations District Court

Martinsville ☒ City ☐ County ☐ Town

TO ANY AUTHORIZED OFFICER:

You are hereby commanded in the name of the Commonwealth of Virginia forthwith to arrest and bring the Accused before this Court to answer the charge that the Accused, within this city or county, on or about 09/21/2018 (DATE) did unlawfully in violation of Section

13-17/18.2-387, Code or Ordinances of this city, county or town: intentionally make an obscene display of the accused's person or private parts in a public place or in a place where others were present.

EXHIBIT 5

I, the undersigned, have found probable cause to believe that the Accused committed the offense charged, based on the sworn statements of

SGT. R.D. JONES MPD, Complainant.

Execution by summons ☐ permitted at officer's discretion. ☒ not permitted.

09/21/2018 05:35 AM
DATE AND TIME ISSUED

Courtney D. Reid
☐ CLERK ☒ MAGISTRATE ☐ JUDGE
Courtney D. Reid

Case Appealed Please Remove #

CORE May be Required

VIRGINIA
In the Clerk's Office of Martinsville Circuit Court
Received and Filed this the
9th Day of January 2019
at 12:21 P. M.
Teste: [signature] C.

DNA SAMPLE (ON FILE)

FORM DC-315 (MASTER, PAGE ONE OF TWO) 07/11

CR19000009 (5)

CASE NO. C18-3158

ACCUSED:
Hill, Brian David
LAST NAME, FIRST NAME, MIDDLE NAME
310 Forest St Apt 2
ADDRESS/LOCATION
Martinsville, VA 24112

To be completed upon service as Summons
Mailing address ☐ Same as above
☐

RACE	SEX	BORN MO. DAY YR.	HT. FT. IN.	WGT.	EYES	HAIR
W	M	05/26/1990	6' 00"	150	BLU	BRO

SSN [redacted]0319
DL# STATE

☐ Commercial Driver's License

CLASS 1 MISDEMEANOR

☐ EXECUTED by arresting the Accused named above on this day:
☐ EXECUTED by summoning the Accused named above on this day:
☐ For legal entities other than individuals, service pursuant to Va. Code § 19.2-76.

9/21/18 0538
DATE AND TIME OF SERVICE
R Jones, ARRESTING OFFICER
22 MPD 113
BADGE NO., AGENCY AND JURISDICTION
for
SHERIFF
Attorney for the Accused:
Pub Def

Short Offense Description (not a legal definition):
INDECENT EXPOSURE

Offense Tracking Number:
690GM1800003560

FOR ADMINISTRATIVE USE ONLY
Virginia Crime Code:
OBS-3713-01

L

9-21-18
4:00 pm

Hearing Date/Time
10-05-18 (BH)
3:00pm
12-21-18
10:45 am

LOCAL 1982

The Accused was this day:
[ ] tried in absence [✓] present Hall

[✓] PROSECUTING ATTORNEY PRESENT (NAME)

[✓] DEFENDANT'S ATTORNEY PRESENT (NAME) Albrecht

[ ] NO ATTORNEY [ ] ATTORNEY WAIVED
[ ] If convicted, no jail sentence will be imposed

[ ] INTERPRETER PRESENT

[ ] Certified pursuant to § 19.2-190.1.

Plea of Accused:
[ ] not guilty [ ] Witnesses sworn
[ ] nolo contendere
[ ] guilty [ ] Plea voluntarily and intelligently entered after the defendant was apprised of his right against compulsory self-incrimination and his right to confront the witnesses against him.
[ ] Plea and Recommendation

And was TRIED and FOUND by me:
[ ] not guilty [✓] guilty as charged
[ ] guilty of .....
VCC .....
[ ] facts sufficient to find guilt but defer adjudication/disposition to .....
DATE AND TIME
and place accused on probation, §§ 4.1-305, 18.2-57.3, 18.2-251 or 19.2-303.2.
[ ] A separate order for First Offender is attached and incorporated in this order.
[ ] Costs imposed upon defendant.

..... _____
DATE JUDGE

And was FOUND by me to be:
[ ] driving a commercial motor vehicle
[ ] carrying hazardous materials
[ ] I ORDER a nolle prosequi on prosecution's motion
[ ] I ORDER the charge dismissed [ ] with prejudice
[ ] conditioned upon payment of costs and
[ ] successful completion of
[ ] traffic school
[ ] mature driver school, § 16.1-69.48:1.
[ ] accord and satisfaction, § 19.2-151.
[ ] under §§ 4.1-305, 18.2-57.3, 18.2-251 or 19.2-303.2.

[ ] Guilty – upon a violation of a term or condition of a deferred adjudication/disposition.

I impose the following Disposition:
[ ] FINE [ ] CIVIL PENALTY of $ .....
with $ ..... suspended
[✓] JAIL SENTENCE of 30 days
imposed, [ ] of which ..... days
mandatory minimum, with ..... suspended
for a period of ....., conditioned upon being of good behavior, keeping the peace, obeying this order and paying fines and costs. Credit is allowed pursuant to § 53.1-187 for time spent in confinement.
[ ] Serve jail sentence beginning .....
[ ] on weekends only
[ ] Work release [ ] authorized if eligible [ ] required
[ ] not authorized
[ ] Public work force [ ] authorized [ ] not authorized
[ ] on PROBATION for .....
[ ] VASAP [ ] local community-based probation agency
[ ] Monitoring by GPS/other tracking device
[ ] DRIVER'S LICENSE suspended for .....
[ ] Restricted Driver's License per attached order
[ ] Ignition Interlock for .....
[ ] RESTITUTION order incorporated
[ ] Restitution payment is a condition of suspended sentence
[ ] COMMUNITY SERVICE ..... hours to be completed by .....
and supervised by .....
[ ] to be credited against fines and costs
[ ] Contact prohibited between defendant and victim/ victim's family or household members
[ ] Other: .....
.....
[ ] Reimburse Commonwealth for investigatory medical fees
[ ] Pay $50 to the Court for Trauma Center Fund
[ ] Bail on Appeal $ .....
[ ] Remanded for [ ] CCRE Report [ ] ..... appealed 12-26-15

DRIVER'S LICENSE/PRIVILEGE TO DRIVE IN VIRGINIA SUSPENDED EFFECTIVE IN 30 DAYS IF FINES, COSTS, FORFEITURES, PENALTIES OR RESTITUTION ARE NOT PAID. Va. Code § 46.2-395.

12-21-2015 _____
DATE JUDGE

Offense Tracking Number: 690GM1800003560

FINE

..... $ —
LOCALITY

COSTS

223	LIQUIDATED DAMAGES	
461	FIXED MISD FEE	61-00
462	FIXED DRUG MISD FEE	
001	INT CRIM CHILD FEE	15-00
113	WITNESS FEE	
113	IGNITION INTERLOCK	
113	DUI FEE	
113	DNA	38-00
233		15-00
121	TRIAL IN ABSENCE FEE	
133	BLOOD TEST FEE	
137	TIME TO PAY	10-00
192	TRAUMA CENTER FEE	
202	WITNESS FEE	
217	CT. APPT. ATTY	120-00
228	COURTHOUSE CONSTRUCTION FEE	
234	JAIL ADMISSION FEE	25-00
243	LOCAL TRAINING ACADEMY FEE	
244	COURTHOUSE SECURITY FEE	10-00
OTHER (SPECIFY):		
241		5.00
TOTAL		$ 299-00

[ ] Stay of the proceedings pursuant to § 16.1-131.1

..... _____
DATE JUDGE

2953

CRIMINAL COMPLAINT

RULES 3A:3 AND 7C:3

Commonwealth of Virginia

Martinsville
CITY OR COUNTY

[X] General District Court
[ ] Juvenile and Domestic Relations District Court

Under penalty of perjury, I, the undersigned Complainant swear or affirm that I have reason to believe that the Accused committed a criminal offense, on or about

09/21/2018
DATE OFFENSE OCCURRED

in the [X] City [ ] County [ ] Town

of Martinsville

I base my belief on the following facts: (Print ALL information clearly.)

On the above date I responded to the area of Pine St. at the steps for the Dick and Willie Trail due to a naked white male that had been seen running on Hooker St from Church St. Officers were in the area of Hooker St and had not located the male. I walked down the steps to the trail where i herd foot steps coming towards me. I could see a person walking on the trail and they stopped. I signed my light on the male and he turned and ran. He was naked except for his shoes and socks. The male had items in his hand when he ran. I chased the suspect off the left side of the trail down a bank and into the creek. I was yelling stop and show me your hands during the chase. When the male was detained he was read Miranda and started talking about a black male in a hoodie made him get naked and take pictures of himself. He was transported to the hospital due to knee pain. While at the Hospital he stated that he was alone when he took the photos of himself and he gave Ofc. Warnick premising to view his camera. On the Camera was several photo of himself naked around the city. He was medically and psychologically cleared. He was arrested for indecent Exposure. Mr. Hill's clothing was located in his bag. All took place in the city.

The statements above are true and accurate to the best of my knowledge and belief.

In making this complaint, I have read and fully understand the following:
By swearing to these facts, I agree to appear in court and testify if a warrant or summons is issued.
The charge in this warrant cannot be dismissed except by the court, even at my request.

Sgt. R. Jones #220
NAME OF COMPLAINANT (LAST, FIRST, MIDDLE)
(PRINT CLEARLY)

SIGNATURE OF COMPLAINANT

Subscribed and sworn to before me this day.

09/21/2018 05:35 AM
DATE AND TIME

Courtney D. Reid
[ ] CLERK [ ] MAGISTRATE [ ] JUDGE

x

CRIMINAL COMPLAINT

ACCUSED: Name, Description, Address/Location

Hill, Brian David
LAST NAME, FIRST NAME, MIDDLE NAME

310 Forest St Apt 2

Martinsville, VA 24112

COMPLETE DATA BELOW IF KNOWN

RACE	SEX	BORN Mo.	BORN DAY	BORN YR.	HT. FT.	HT. IN.	WGT.	EYES	HAIR
W	M	05	26	90	6	0	150	BLU	BRN

SSN
[redacted]0319

[ ] Complainant is not a law-enforcement officer or animal control officer. Authorization prior to issuance of felony arrest warrant given by
[ ] Commonwealth's attorney
[ ] Law-enforcement agency having jurisdiction over alleged offense

NAME OF PERSON AUTHORIZING ISSUANCE OF WARRANT

DATE AND TIME AUTHORIZATION GIVEN

13-17 Indecent Exposure

Reviewed by List

Balakrishnan, Shyam E, MD on 1/15/2018 18:06

Results

CBC WITH AUTO DIFF (CBCD) (Order 368602037)

CBC WITH AUTO DIFF (CBCD) [368602037] (Abnormal) — Resulted: 07/31/18 1210, Result status: Final result

Ordering provider: Balakrishnan, Shyam E, MD 07/31/18 1110 — Resulting lab: GENESYS MARTINSVILLE

Specimen Information

Type	Source	Collected On
Blood, Venous	—	07/31/18 1122

Components

Component	Value	Reference Range	Flag	Lab
WBC	8.0	4.8 - 10.8 x10	—	gen martinsvi
RBC	5.53	4.50 - 5.30 x10	H	gen martinsvi
Hemoglobin	16.3	13.0 - 16.0 G/DL	H	gen martinsvi
Hematocrit	49.1	37.0 - 49.0 %	H	gen martinsvi
MCV	89	78 - 98 fL	—	gen martinsvi
MCH	29.5	27.0 - 34.6 pg	—	gen martinsvi
MCHC	33.2	33.0 - 37.0 g/dL	—	gen martinsvi
RDW	12.3	11.5 - 14.5 %	—	gen martinsvi
Platelet Count	235	130 - 400 x10	—	gen martinsvi
MPV	8.9	7.4 - 10.4 fL	—	gen martinsvi
Seg	65.5	42.0 - 75.0 %	—	gen martinsvi
Lymph	20.9	21.0 - 51.0 %	L	gen martinsvi
Monos	11.4	2.0 - 13.0 %	—	gen martinsvi
Eos	1.6	0.0 - 10.0 %	—	gen martinsvi
Baso	0.6	0.0 - 2.0 %	—	gen martinsvi
Absolute Neut	5.30	1.80 - 7.70 x10	—	gen martinsvi
Absolute Lymph	1.70	1.00 - 5.00 x10	—	gen martinsvi
Absolute Mono	0.90	0.00 - 0.80 x10	H	gen martinsvi
Absolute Eos	0.10	0.00 - 0.70 X 10	—	gen martinsvi
Absolute Basophils	0.00	0.00 - 0.20 X10	—	gen martinsvi

Testing Performed By

Lab - Abbreviation	Name	Director	Address	Valid Date Range
212 - gen martinsvi	GENESYS MARTINSVILLE	Unknown	1107 A Brookdale St Martinsville VA 24112	09/14/10 1517 - Present

Reviewed by List

Balakrishnan, Shyam E, MD on 8/1/2018 10:31

Results

COMPREHENSIVE METABOLIC PANEL(COMP) (Order 368602038)

COMPREHENSIVE METABOLIC PANEL(COMP) [368602038] (Abnormal) — Resulted: 07/31/18 1210, Result status: Final result

Ordering provider: Balakrishnan, Shyam E, MD 07/31/18 1110 — Resulting lab: GENESYS MARTINSVILLE

Specimen Information

Type	Source	Collected On
Blood, Venous	—	07/31/18 1122

Components

Component	Value	Reference Range	Flag	Lab
Sodium	137	135 - 145 mmol/L	—	gen martinsvi
Potassium	4.4	3.5 - 5.3 mmol/L	—	gen martinsvi
Chloride	101	98 - 110 mmol/L	—	gen martinsvi
CO2	29	21 - 31 mmol/L	—	gen martinsvi
Urea Nitrogen	10	7.0 - 22.0 mg/dL	—	gen martinsvi
Creatinine	1.02	0.50 - 1.40 mg/dL	—	gen martinsvi
Glom Filt Rate, Estimated	87	>60	—	gen martinsvi
Glucose, Bld	237	70 - 99 mg/dL	H	gen martinsvi
Total Protein	7.1	6.0 - 8.3 g/dL	—	gen martinsvi
Albumin	4.0	3.2 - 5.5 g/dl	—	gen martinsvi
Calcium	9.2	8.5 - 10.7 mg/dL	—	gen martinsvi
Total Bilirubin	0.5	0.0 - 1.3 mg/dL	—	gen martinsvi
Alkaline Phosphatase, Serum	77	42 - 121 IU/L	—	gen martinsvi
AST	18	15 - 45 IU/L	—	gen martinsvi
ALT	18	10 - 60 IU/L	—	gen martinsvi
Globulin	3.1	g/dl	—	gen martinsvi
A/G Ratio	1.3	—	—	gen martinsvi
Anion Gap	11.4	mmol/L	—	gen martinsvi
Osmolality	280.56	mmol/L	—	gen martinsvi
Bun/Creatinine	9.80	RATIO	—	gen martinsvi

Testing Performed By

Lab - Abbreviation	Name	Director	Address	Valid Date Range
212 - gen martinsvi	GENESYS MARTINSVILLE	Unknown	1107 A Brookdale St Martinsville VA 24112	09/14/10 1517 - Present

Reviewed by List

Balakrishnan, Shyam E, MD on 8/1/2018 10:31

Results

HEMOGLOBIN A1C(HA1C) (Order 368602039)

HEMOGLOBIN A1C(HA1C) [368602039] (Abnormal) Resulted: 07/31/18 1149, Result status: Final result

Ordering provider: Balakrishnan, Shyam E, MD 07/31/18 1110 Resulting lab: GENESYS MARTINSVILLE

Specimen Information

Type	Source	Collected On
Blood, Venous	—	07/31/18 1122

Components

Component	Value	Reference Range	Flag	Lab
Hemoglobin A1C	9.1	3.8 - 5.9 %	H	gen martinsvi

Testing Performed By

Lab - Abbreviation	Name	Director	Address	Valid Date Range
212 - gen martinsvi	GENESYS MARTINSVILLE	Unknown	1107 A Brookdale St Martinsville VA 24112	09/14/10 1517 - Present

Reviewed by List

Balakrishnan, Shyam E, MD on 8/1/2018 10:31
Balakrishnan, Shyam E, MD on 7/31/2018 11:50

END OF REPORT

Secondary Polycythemia Symptoms and Treatment

By Deborah Leader, RN
Updated July 11, 2019

Medically reviewed by a board-certified physician



KTSDESIGN/SCIENCE PHOTO LIBRARY / Getty Images

Similar to primary polycythemia vera, secondary polycythemia is a disorder that causes an over-production of red blood cells. When too many red blood cells are produced, the blood becomes thick, hindering its passage through the smaller blood vessels.

The difference between the two has to do with what the disorder is associated with. Secondary polycythemia is associated with an underlying disease process (such as COPD), but primary polycythemia is not.

Causes

Because secondary polycythemia is associated with an underlying disease process, factors that affect the red blood cells are usually a cause. The job of a red blood cell is to deliver oxygen to the body tissues. Smoking, for example, interferes with this process, so it is a common cause of secondary polycythemia. Others include:

- Chronic carbon monoxide exposure

https://www.verywellhealth.com/secondary-polycythemia-copd-complications-914682

CARILION CLINIC

MARTINSVILLE FP IM
1107A BROOKDALE STREET

Hill, Brian David
MRN: 7244793, DOB: 5/26/1990, Sex: M
Visit date: 7/31/2018

CBC WITH AUTO DIFF (CBCD) [368602037] (Abnormal)

Ordering provider: Balakrishnan, Shyam E, MD 07/31/18 1110 Resulting lab: GENESYS MART

Specimen Information

Type	Source	Collected On
Blood, Venous	—	07/31/18 1122

Components

Component	Value	Reference Range	Flag
WBC	8.0	4.8 - 10.8 x10	—
RBC	5.53	4.50 - 5.30 x10	H
Hemoglobin	16.3	13.0 - 16.0 G/DL	H
Hematocrit	49.1	37.0 - 49.0 %	H
MCV	89	78 - 98 fL	—
MCH	29.5	27.0 - 34.6 pg	—
MCHC	33.2	33.0 - 37.0 g/dL	—
RDW	12.3	11.5 - 14.5 %	—
Platelet Count	235	130 - 400 x10	—
MPV	8.9	7.4 - 10.4 fL	—
Seg	65.5	42.0 - 75.0 %	—
Lymph	20.9	21.0 - 51.0 %	L
Monos	11.4	2.0 - 13.0 %	—
Eos	1.6	0.0 - 10.0 %	—
Baso	0.6	0.0 - 2.0 %	—
Absolute Neut	5.30	1.80 - 7.70 x10	—
Absolute Lymph	1.70	1.00 - 5.00 x10	—
Absolute Mono	0.90	0.00 - 0.80 x10	H
Absolute Eos	0.10	0.00 - 0.70 X 10	—
Absolute Basophils	0.00	0.00 - 0.20 X10	—

EXHIBIT 7

Sovah Health Martinsville

320 Hospital Drive
Martinsville, VA 24112
276-666-7237

7806761243

Emergency Department Instructions for: **Hill, Brian D**

Arrival Date: **Friday, September 21, 2018**

Thank you for choosing **Sovah Health Martinsville** for your care today. The examination and treatment you have received in the Emergency Department today have been rendered on an emergency basis only and are not intended to be a substitute for an effort to provide complete medical care. You should contact your follow-up physician as it is important that you let him or her check you and report any new or remaining problems since it is impossible to recognize and treat all elements of an injury or illness in a single emergency care center visit.

Care provided by: Hinchman, Brant, DO

Diagnosis: Abrasion, right knee; Abrasion of unspecified front wall of thorax

DISCHARGE INSTRUCTIONS	FORMS
VIS, Tetanus, Diphtheria (Td) - CDC Abrasion, Easy-to-Read Knee Pain, Easy-to-Read	Medication Reconciliation
FOLLOW UP INSTRUCTIONS	**PRESCRIPTIONS**
Private Physician When: Tomorrow; Reason: Further diagnostic work-up, Recheck today's complaints, Continuance of care **Emergency Department** When: As needed; Reason: Fever > 102 F, Trouble breathing, Worsening of condition	None
SPECIAL NOTES	
None	

National Hopeline Network: 1-800-784-2433

If you received a narcotic or sedative medication during your Emergency Department stay you should not drive, drink alcohol or operate heavy machinery for the next 8 hours as this medication can cause drowsiness, dizziness, and decrease your response time to events.

I hereby acknowledge that I have received a copy of my transition care record and understand the above instructions and prescriptions.

Brian D. Hill
Brian Hill

Jessica Tate, RN, BSN
ED Physician or Nurse
09/21/2018 04:52

EMERGENCY DEPARTMENT RECORD
Physician Documentation
Sovah Health Martinsville
Name: Brian Hill
Age: 28 yrs
Sex: Male
DOB: 05/26/1990
MRN: MM00370912
Arrival Date: 09/21/2018
Time: 04:04
Account#: MM7806761243
Bed ER 9
Private MD:
ED Physician Hinchman, Brant
HPI:
09/21
04:40 This 28 yrs old White Male presents to ER via Law Enforcement with complaints of Knee Pain. bdh
09/21
04:48 28-year-old male with diabetes and autism presents for evaluation after complaining of right knee pain and scrapes and abrasions. Patient was apparently taking pictures of himself in the nude across town this evening and when police attempted apprehend him brain through Briar patch. Patient does report scratches and abrasions to the right knee but no pain on range of motion. Unknown last tetanus.. bdh

Historical:
- Allergies: Ranitidine;
- PMHx: autism; Diabetes - IDDM; OCD;
- Exposure Risk/Travel Screening:: Patient has not been out of the country in last 30 days. Have you been in contact with anyone who is ill that has traveled outside of the country in the last 30 days? No.
- Social history:: Tobacco Status: The patient states he/she has never used tobacco. The patient/guardian denies using alcohol, street drugs, The patient's primary language is English. The patient's preferred language is English.
- Family history:: No immediate family members are acutely ill.
- Sepsis Screening:: Sepsis screening negative at this time.
- Suicide Risk Screen:: Have you been feeling depressed in the last couple of weeks? No Have you been feeling hopeless to the extent that you would want to end your life? No Have you attempted suicide or had a plan to attempt within the last 12 months? No.
- Abuse Screen:: Patient verbally denies physical, verbal and emotional abuse/neglect.
- Tuberculosis screening:: No symptoms or risk factors identified.
- The history from nurses notes was reviewed: and my personal history differs from that reported to nursing.

ROS:
09/21
04:49 All other systems are negative, except as documented below. bdh

Constitutional: Negative for chills, fever. Respiratory: Negative for

FOLLOW UP INSTRUCTIONS

Private Physician
When: Tomorrow
Reason: Further diagnostic work-up, Recheck today's complaints, Continuance of care

Emergency Department
When: As needed
Reason: Fever > 102 F, Trouble breathing, Worsening of condition

7806761243

MRN # MM00370912

X-RAYS and LAB TESTS:
If you had x-rays today they were read by the emergency physician. Your x-rays will also be read by a radiologist within 24 hours. If you had a culture done it will take 24 to 72 hours to get the results. If there is a change in the x-ray diagnosis or a positive culture, we will contact you. Please verify your current phone number prior to discharge at the check out desk.

MEDICATIONS:
If you received a prescription for medication(s) today, it is important that when you fill this you let the pharmacist know all the other medications that you are on and any allergies you might have. It is also important that you notify your follow-up physician of all your medications including the prescriptions you may receive today.

TESTS AND PROCEDURES

Labs
None

Rad
None

Procedures
None

Other
Call ERT, IV saline lock

Chart Copy

7806761234

cough, dyspnea on exertion, shortness of breath. MS/extremity: Positive for pain, Negative for decreased range of motion, paresthesias, swelling, tenderness, tingling. Skin: Positive for abrasion(s), Negative for rash, swelling.

Exam:
09/21
04:49 Constitutional: This is a well developed, well nourished patient who bdh is awake, alert, and in no acute distress. Head/Face: Normocephalic, atraumatic. Eyes: Pupils equal round and reactive to light, extra-ocular motions intact. Lids and lashes normal. Conjunctiva and sclera are non-icteric and not injected. Cornea within normal limits. Periorbital areas with no swelling, redness, or edema. ENT: Oropharynx with no redness, swelling, or masses, exudates, or evidence of obstruction, uvula midline. Mucous membranes moist. No meningismus. Neck: Supple, full range of motion without nuchal rigidity, or vertebral point tenderness. No Meningismus. No JVD Cardiovascular: Regular rate and rhythm with a normal S1 and S2. No gallops, murmurs, or rubs. No JVD. No pulse deficits. Respiratory: Lungs have equal breath sounds bilaterally, clear to auscultation and percussion. No rales, rhonchi or wheezes noted. No increased work of breathing, no retractions or nasal flaring. Abdomen/GI: Soft, non-tender, with normal bowel sounds. No distension or tympany. No guarding or rebound. No pulsatile mass. Back: No spinal tenderness. No costovertebral tenderness. Full range of motion. Skin: Multiple superficial abrasions to the groin and abdomen without fluctuance or tenderness. MS/ Extremity: Pulses equal, no cyanosis. Neurovascular intact. Full, normal range of motion. No peripheral edema, tenderness. Abrasion to right knee but nontender, no deformity or swelling. Ambulating without difficulty. Neuro: Awake and alert, GCS 15, oriented to person, place, time, and situation. Cranial nerves II-XII grossly intact. Psych: Awake, alert, with orientation to person, place and time. Behavior, mood, and affect are within normal limits.

Vital Signs:
09/21
04:09 BP 124 / 86; Pulse 119; Resp 19; Temp 98; Pulse Ox 98% ; Weight 99.79 jt kg; Height 6 ft. 0 in. (182.88 cm); Pain 0/10;
09/21
05:01 BP 119 / 80; Pulse 106; Resp 16; Temp 98.2; Pulse Ox 99% ; Pain 0/10; jt
09/21
04:09 Body Mass Index 29.84 (99.79 kg, 182.88 cm) jt

MDM:
09/21
04:04 MSE Initiated by Provider. bdh
09/21
04:50 Differential diagnosis: fracture, sprain, penetrating trauma, et al. bdh ED course: Cleared from a psychiatric standpoint by Behavioral Health. Patient will be discharged to jail. No new complaints.. Data reviewed: vital signs, nurses notes. Counseling: I had a detailed

discussion with the patient and/or guardian regarding: the historical points, exam findings, and any diagnostic results supporting the

discharge/admit diagnosis, the need for outpatient follow up, to return to the emergency department if symptoms worsen or persist or if there are any questions or concerns that arise at home.

09/21
04:16 Order name: Call ERT; Complete Time: 04:25 bdh
09/21
04:16 Order name: IV saline lock; Complete Time: 04:36 bdh
09/21
04:29 Order name: Other: NO suicidal homicidal risk; Complete Time: 05:03 bdh

Dispensed Medications:
Discontinued: NS 0.9% 1000 ml IV at 999 mL/hr once
09/21
04:36 Drug: Tetanus-Diphtheria Toxoid Adult 0.5 ml {Manufacturer: Grifols Therapeutics. Exp: 09/27/2020. Lot #: A112A. } Route: IM; Site: right deltoid; lbl
09/21
05:04 Follow up: Response: No adverse reaction lbl
09/21
04:36 Drug: NS 0.9% 1000 ml Route: IV; Rate: 999 mL/hr; Site: right arm; Delivery: Primary tubing; lbl
09/21
05:11 Follow up: IV Status: Completed infusion dr

Disposition:
09/21
04:52 Electronically signed by Hinchman, Brant, DO at 04:52 on 09/21/2018. bdh
Chart complete.

Disposition:
09/21/18 04:52 Discharged to Jail/Police. Impression: Abrasion, right knee, Abrasion of unspecified front wall of thorax.
- Condition is Stable.
- Discharge Instructions: VIS, Tetanus, Diphtheria (Td) - CDC, Abrasion, Easy-to-Read, Knee Pain, Easy-to-Read.

- Medication Reconciliation form.
- Follow up: Private Physician; When: Tomorrow; Reason: Further diagnostic work-up, Recheck today's complaints, Continuance of care. Follow up: Emergency Department; When: As needed; Reason: Fever > 102 F, Trouble breathing, Worsening of condition.
- Problem is new.
- Symptoms have improved.

Order Results:
There are currently no results for this order.
Signatures:

Dispatcher MedHost		EDMS
Tate, Jessica, RN	RN	jt
Hinchman, Brant, DO	DO	bdh

Ramey, Nicole nmr
Bouldin, Lauren, RN RN lb1
Reynolds, Daniel R RN dr

Corrections: (The following items were deleted from the chart)
09/21
04:48 09/21 04:16 COMPREHENSIVE METABOLIC PANEL+LAB ordered. EDMS EDMS
09/21
04:48 09/21 04:16 COMPLETE BLD COUNT W/AUTO DIFF+LAB ordered. EDMS EDMS
09/21
04:49 09/21 04:16 CPK, TOTAL+LAB ordered. EDMS EDMS
09/21
04:50 09/21 04:16 ALCOHOL, ETHYL+LAB ordered. EDMS EDMS
09/21
04:50 09/21 04:16 STAT OVERDOSE PANEL+LAB ordered. EDMS EDMS
09/21
04:52 09/21 04:52 09/21/2018 04:52 Discharged to Jail/Police. Impression: bdh
Abrasion, right knee; Abrasion of unspecified front wall of thorax.
Condition is Stable. Discharge Instructions: Medication
Reconciliation. Follow up: Private Physician; When: Tomorrow; Reason:
Further diagnostic work-up, Recheck today's complaints, Continuance
of care. Follow up: Emergency Department; When: As needed; Reason:
Fever > 102 F, Trouble breathing, Worsening of condition. Problem is
new. Symptoms have improved. bdh
09/21
04:54 09/21 04:16 URINALYSIS W/REFLEX TO CULTURE+LAB ordered. EDMS EDMS

****

BRIAN DAVID HILL - Just found out more about Brian to share with you. This has to do with carbon monoxide poisoning

From: Ken & Stella (kenstella2007@yahoo.com)
To: jason_mcmurray@vawp.uscourts.gov
Cc: rbhill67@yahoo.com
Date: Sunday, March 10, 2019, 04:44 PM EDT

EXHIBIT 8

Hi Jason,

We (Brian's mom & grandparents) have been wanting to thank you for all of your support for Brian since 2015. He is blessed to have you in his life, knows all you have done to help him all of these years and appreciates it and you. He was impressed that you stood up for him in court and has told us all about it more than once. Right now he seems to be getting along well in Butner, meeting new friends and is impressed with all of the prison guards and employees there and was in the Roanoke and Martinsville jails as well. We think for the first time, Dr. Grainey also knows that he is innocent of the initial charge of knowingly downloading child porn. When one knows all the facts, he is innocent. The facts are in the court, all of the proof of his innocence. It will be interesting to see her report. I am sending this email to Brian's mom, Roberta. We saw Brian yesterday, and he is well looking forward to being released.

We have new information to share with you and will take a copy of this new information to his attorney in Martinsville, VA tomorrow and might need to send a copy to his federal attorney in Roanoke as well. Jason, we know that you are very busy but would appreciate a reply that you did get this email. We are enclosing a

copy of the letter Brian's mom, Roberta wrote to Brian that we will send to him in the mail tomorrow to show to Dr. Grainy. We're also sending a copy of a 6 page document we wrote to Brian in the mail to show Dr. Grainy and 2 receipts of proof.

I think you might know a little if you remember the leak in Brian's fireplace in his apartment as well as the damage along the wall and ceiling near his fireplace. It was all a mystery because his mom's fireplace, wall and ceiling above his did not have any damage. Anyway, we discovered what the problem was on January 30th this year and are now aware that this all can explain why Brian left the house the night of Sept. 21st and was walking all around Martinsville miles from home confused. We were in shock when we found out, and I'm sure that you and Preston were too. This was not anything Brian had ever done before, but the 9 pages attachment helps us understand what was going on with him. After we all 4 (Brian, his mom, and we, (grandparents) talked about this at Butner yesterday, Brian asked us to write him about it and to send the proof. He wanted to know if that could have caused his confusion and memory loss so his mom told him we would check into it when we get home and let him know.

We have also sent the proof to his attorney (Martinsville & Roanoke) about the threats he had received (as well as the emails where this person sending these threats to Brian, Sue Basko (attorney) and others admitted to setting Brian up with CP (child porn) and admitted putting it on his computer. When Brian was trying to

appeal his case in January, 2015 they were sending more emails to Sue Basko who had informed the court in Sept 2014 that Brian was innocent threatening Brian's life if he didn't stop the appeals, threatening him, his family, his attorneys, Sue and his friends. We still have copies of these in our emails and sent copies. Someone has been sending hate greeting cars to his mom from Dec. 2017 to May 2018 postmarked from Nashville, TN with no return address. It looks like they are criticizing her YouTube videos and the books she writes, but then they are also criticizing her family from WV when they told her to leave out the walnuts from WV. We all wrote affidavits in Brian's 2255 in the federal courts in Nov, 2017, so if they look up our names on google, they would find her address from the affidavits we sent to the court, her Amazon author page and her YouTube page, and would find out if they look up Brian's grandparents' names from the affidavits that we are both from WV and have written books about the roots of a hillbilly family from WV. After Roberta put the following video on YouTube in May, 2018, they didn't send anymore cards, but other things have happened since May, 2018 that could explain that all Brian went through could have been real threats that night. We sent all of this to both of his attorneys and to Dr. Grainey and others. This is Roberta's video about the greeting cards and hate mail (Brian wanted us to show you). Roberta still has the cards if anyone wants to see them.

The RH Negative Blood Type: Hate



2968



The RH Negative Blood Type: Hate

Jason, again thank you for all of the help and understanding you have given to Brian. Here is the 2 page letter from Roberta to Brian, the 6 page history with proof from Brian's grandparents called "Carbon monoxide poisoning", and 2 other pages: work proposal Jan 30, 2019 and Receipt from February 4, 2019. If you need copies, Roberta can also take photos of the fireplace, damaged walls around it and the hole in the ceiling where that part of the ceiling fell to send to you.

Sincerely,
Brian David Hill's grandparents, Stella & Ken Forinash

Brian-Letter-March-2019.pdf
330.9kB

Carbon Monoxide Poisoning.pdf
859.9kB

receipt 2-04-2019.jpg
391.6kB

work proposal dated Jan 30, 2019.jpg
337.4kB

Hey Brian,

I hope you are doing well.

Brian, here is an excerpt from a *USA Today* article about Hayley Moss. She is the lawyer I told you about on Saturday.

"Zumpano Patricios now calls Moss "one of the first documented autistic attorneys to join the Florida Bar and a major law firm," though firm co-founder Joe Zumpano believes "she may be one of the first nationally."'"

I know you have an interest in law, too, so she reminds me of you. She also is an author, just like you.

Remember when I told you that the fireplace man found out that our chimney had been completely sealed and that would have exposed our apartments to carbon monoxide?

Brian I looked up the effects of carbon monoxide poisoning and copy and pasted them on here. Both of us were complaining that we were tired a lot. The fireplace man told us that carbon monoxide would settle down to the lowest part of our home, which would be the basement; however your apartment is just above the basement and lower than my apartment.

Because the symptoms of carbon monoxide poisoning can be vague and nonspecific, the diagnosis may be missed or not suspected, particularly when vague, flu-like symptoms develop.

- *Headache,*
- *dizziness, and*
- *nausea are the most common symptoms.*

Other possible symptoms and signs include

- *malaise,*
- *fatigue,*

- *chest pain,*
- *shortness of breath,*
- *vomiting,*
- *diarrhea,*
- *weakness,*
- *abdominal pain, or*
- *fecal and urinary incontinence.*

A number of different psychological and neurologic symptoms can also be present. These can include agitation, confusion, depression, lethargy, impulsiveness, hallucinations, confabulation, distractibility, and memory problems. Visual disturbances and seizure, as well as fainting (syncope), can also be related to carbon monoxide toxicity. Severe cases of carbon monoxide poisoning can lead to coma and death.

https://www.medicinenet.com/carbon_monoxide_poisoning_symptoms_and_signs/symptoms.htm

I think you need to discuss this in your next meeting with Dr. Grainy and show her this list. This also needs to be brought up at your hearing in Martinsville. You told me that you don't remember everything that happened that night.

I enjoyed our visit on Saturday! I miss you!

Love,

Mom

Carbon monoxide poisoning

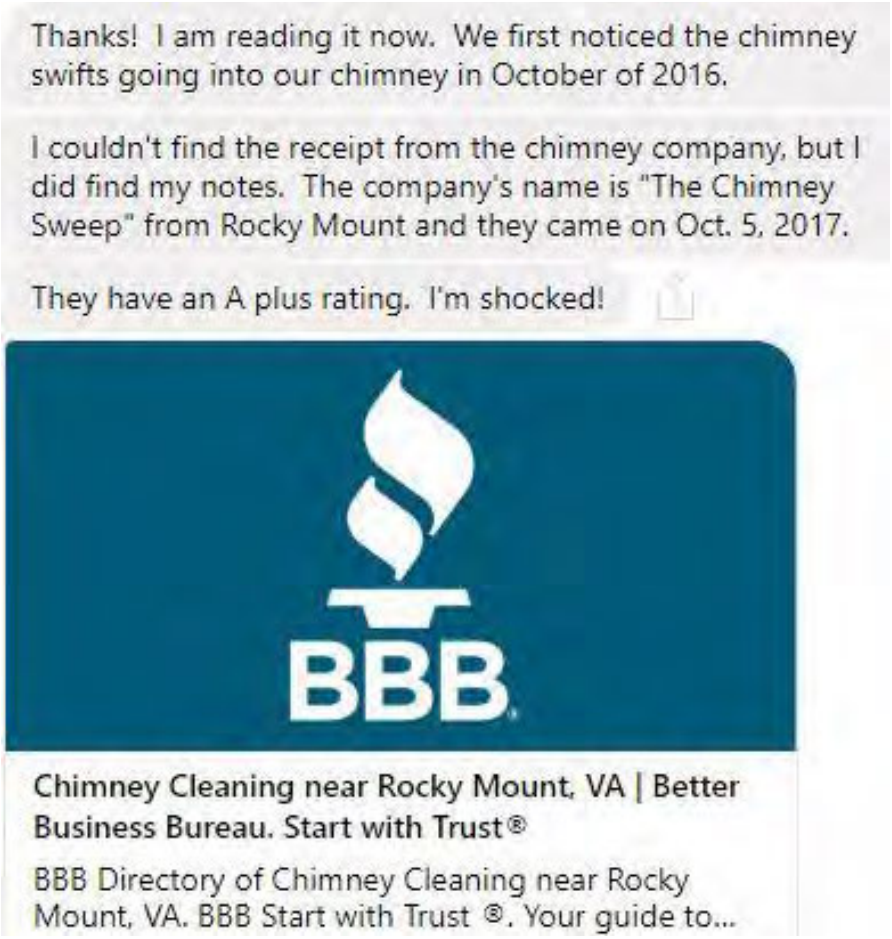
By Brian David Hill's Grandparents, Stella & Ken Forinash on March 10, 2019

Roberta & Brian bought their home in January, 2016; moved in their new home in May, 2016. During the summer of 2017, we noticed many birds flying high above their house and one by one moving into the chimney each evening. https://www.owenschimneysystems.com/its-chimney-swift-season/. There are 3 chimney openings (one for the fireplace in Roberta's apartment, one for the fireplace in Brian's apartment and one for the gas furnace and gas hot water heater in the basement). These birds are called "Chimney Swifts". After Roberta was sure the birds were no longer here (in October or November, 2017), she called a chimney sweep company in Rocky Mount, VA to clean the chimney and put a screen over the chimney holes to keep the birds away. We noticed in 2018, there were no birds: however, a couple of months after the chimney people did their work during a snow storm in Dec. 2017, we noticed some ceiling damage in Brian's living room and what we thought was water damage in his fireplace, ceiling and walls all around his fireplace. No problems with Roberta's fireplace, so Roberta thought it was a foundation problem and cocked all around the house above Brian's fireplace. Roberta's apartment is on the top floor, Brian's apartment is below hers and the gas furnace & gas hot water heater is in the basement below Brian's apartment. She noticed more damage each month in the ceiling and around the fireplace in Brian's apartment, thought the problem was a foundation problem since her fireplace above Brian's was not getting any water damage. She noticed after she cocked the house, the leak was getting worse, She called a foundation company and waited for months for them to check the foundation of the house. They came after Brian was already in jail and told her it was not a foundation problem but a roofing problem.

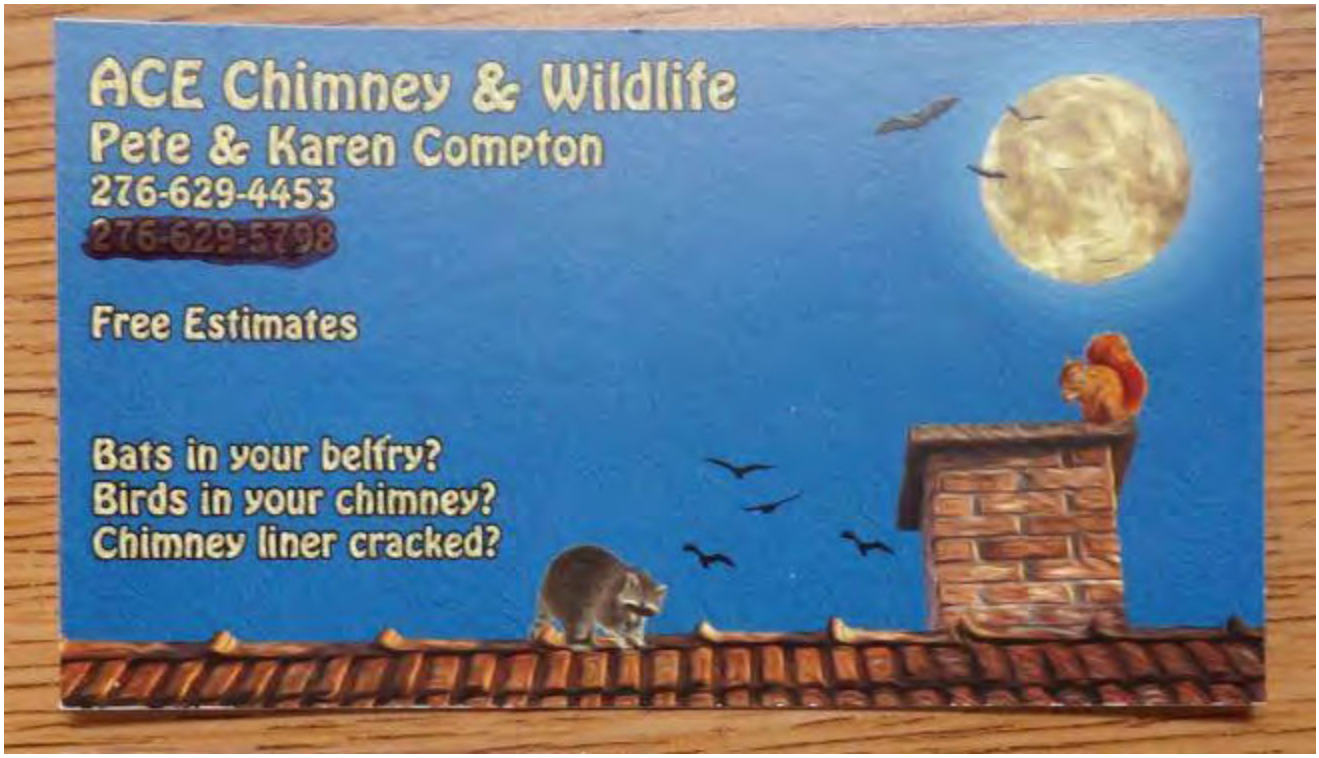


We called a roofing company who said that the roof was in good shape but she needed to put some type of flashing and other things around the chimney to bring the roof up costing $2,600. After they left, she noticed that her fireplace was now leaking and a few weeks before they came the ceiling all around Brian's fireplace had fallen down due to all of the moisture. We called a carpenter, and he noticed that the ceiling that had fallen and needed to be replaced was right below the bricks from Roberta's fireplace platform. She called the roofing people back, and they told her that she needs to have a cap put over her fireplace. They were supposed to talk to their boss and call back, but after waiting a week, we decided to call a chimney company from Bassett, VA who had an A+ rating on the Better Business web site. He came to check to see what she needed and to give a price. We showed him her fireplace, Brian's fireplace with all the damage and the gas furnace and gas hot water heater in the basement. When he climbed his ladder to look at the fireplace, he discovered that all 3 openings were blocked and instead of the screen that she thought was over the holes, there was tin covering all 3 holes. He immediately took the tin off of the hole where the gas furnace and gas hot water heater was.

Roberta's note to us on 3/10/2009



He then showed us what had happened and said that he could not leave there knowing that the tin was keeping the fumes from coming out of the chimney and couldn't believe a chimney company would cover it up. He said that was dangerous. He then came back in the house and showed us the damage in Brian's fireplace was not water damage but had come from the furnace and hot water heater because there was nowhere else for the fumes to go. He showed us all of the white residue in Brian's fireplace from the fumes & moisture escaping in his apartment. He told us the same as the carpenter to wait a few months to let everything dry before replacing the ceiling and the walls around the fireplace and he said that the white residue inside of the fireplace can be cleaned. There was now some white residue inside of Roberta's fireplace too, but the ceiling and the walls around her fireplace was still in good shape in her apartment. This is the name of the guy who took away the tin from the fireplace thus letting the gas furnace & gas water heater vent and prevent any more carbon monoxide poisoning in their basement and apartments. He can be called to confirm what we have written about this situation, and we need to have him to sign a statement about his findings on the outside chimney. This is his business card, and we are enclosing his work proposal (We also had him to do some work inside our fireplaces and replace the chimney cap on our fireplace) from 1/30/2019 when he removed the tin. He wrote that he was putting the chimney cap on Roberta's fireplace for the fireplace and boiler (furnace) & fixing something else. We are sending a copy of the receipt after he put the new chimney cap and did repairs on 2/4/2019. Here is a copy of his business card with his name, address and phone:



Brian David Hill was living in a home with carbon monoxide poisoning from Oct. 5, 2017 till September 21, 2018 (almost one year). He was home most of the time, using the natural gas hot water heater for hours each day doing his OCD washing routines. His apartment fireplace had the most damage including the walls all around the fireplace and losing some of the ceiling above his fireplace due to excessive moisture that we thought was from snow and rain. We learned on 1/30/2019 that it was residue from the boiler furnace and gas hot water heater having nowhere else for the fumes and moisture to escape. Roberta was living in this house with the carbon monoxide from Oct 5, 2017 till Jan. 30, 2019, but her apartment was not infected as badly as Brian's was.

Roberta and Brian Hill had complained for months about being real tired and weak, and we noticed that Roberta's head was shaking. Brian was complaining that he couldn't think straight and was having some memory problems. We all talked about this during our visit with him today (3/9/2019 and wondered if that had anything to do with why Brian left his home the night of Sept. 21, 2018 and was walking around confused miles from his home that night. Brian also had a bad fall in his apartment a few months after the chimney people were there during the winter of 2018 (The hospital at Martinsville, VA should have this record and date: Call 276-666-7200. (Brian was a patient in this hospital in the mental department in December, 2013. The hospital should have on record that Brian is a brittle diabetic using insulin and has autism, yet when the police brought him to the hospital on Sept 21, 2018, the hospital let him be arrested instead of keeping him in the hospital doing test to see why he was acting so strangely). When his mom checked on him that winter night in 2018, he was asleep in his bed with blood all over. She called 9-1-1, but he refused to go to the hospital without doing his OCD routine. During his hand washing routine and washing the blood on his forehead, he vomited and was having bad leg cramps. We finally got him to the Martinsville, VA hospital hours later, and they put staples in his forehead. We found out later that he had fallen in his office and broke his desk. There was a lot of blood on the floor and some way he got into his bed in his bedroom and was apparently asleep when his mom, Roberta went to his room to check his blood glucose, and there was blood all over his pillows, his bed and his face. We told Brian we would check to see if the carbon monoxide from his fireplace can cause confusion, and this is what we found:

These can include agitation, confusion, depression, lethargy, impulsiveness, hallucinations, confabulation, distractibility, and memory problems.

Request an Appointment

- Patient Care & Health Information
- Diseases & Conditions

Carbon monoxide poisoning

Mayo Clinic

Overview

Carbon monoxide poisoning occurs when carbon monoxide builds up in your bloodstream. When too much carbon monoxide is in the air, your body replaces the oxygen in your red blood cells with carbon monoxide. This can lead to serious tissue damage, or even death.

Carbon monoxide is a colorless, odorless, tasteless gas produced by burning gasoline, wood, propane, charcoal or other fuel. Improperly ventilated appliances and engines, particularly in a tightly sealed or enclosed space, may allow carbon monoxide to accumulate to dangerous levels.

If you think you or someone you're with may have carbon monoxide poisoning, get into fresh air and seek emergency medical care.

Signs and symptoms of carbon monoxide poisoning may include:

- Dull headache; Weakness; Dizziness; Nausea or vomiting; Shortness of breath; Confusion; Blurred vision; Loss of consciousness

Carbon monoxide poisoning can be particularly dangerous for people who are sleeping or intoxicated. People may have irreversible brain damage or even die before anyone realizes there's a problem. If you or someone you're with develops signs or symptoms of carbon monoxide poisoning — headache, dizziness, nausea, shortness of breath, weakness, confusion — get into fresh air immediately and call 911 or emergency medical help.

Hospital staff will need critical information as soon as you arrive. On the way to the hospital, try to prepare to answer questions about:

- Possible sources of carbon monoxide exposure; Signs or symptoms, and when they started
- Any mental impairment, including confusion and memory problems
  - When you see the doctor, note that history is more important than symptoms. The most important way to recognize carbon monoxide poisoning is by recognizing the danger signs of behaviors leading up to the moment that symptoms started appearing.
  - Faulty stoves, fireplaces, or wood-burning appliances are usually to blame for carbon monoxide poisoning in the home.

Progressed Symptoms: As carbon monoxide poisoning progresses, symptoms get more serious, but are still extremely vague and difficult to identify as specific to carbon monoxide exposure:

- Confusion
- Shortness of breath
- Chest pain
- Vomiting
- Blurry or double vision
- Loss of consciousness

Self Checks/At-Home Testing

There isn't a self-diagnosis option for carbon monoxide poisoning, but anyone with confusion or a loss of consciousness should have 911 called for them.

Long-Term Complications: **As common as carbon monoxide poisoning is, there is a lot we still do not understand about this condition. Long-term exposure to elevated levels of carbon monoxide—even when the levels aren't that high, but the exposure continues for many days or weeks—can lead to peripheral artery disease, cardiomyopathy, and long-term, poorly understood neurological problems.**

Damage to the brain is a significant injury incurred by many patients with carbon monoxide poisoning. Patients can develop neurological complications (difficulty concentrating, memory loss, tremors, trouble speaking, etc.) at the same time as the carbon monoxide poisoning or at a later time. When the neurological signs and symptoms show up later, it's known as delayed neurologic sequelae (DNS).

- Make sure your gas appliances are vented properly. Horizontal vent pipes for appliances, such as a water heater, should go up slightly as they go toward outdoors, as shown below. This prevents CO from leaking if the joints or pipes aren't fitted tightly.
- Have your chimney checked or cleaned every year. Chimneys can be blocked by debris. This can cause CO to build up inside your home or cabin.

https://www.medicinenet.com/carbon_monoxide_poisoning_symptoms_and_signs/symptoms.htm

These can include agitation, confusion, depression, lethargy, impulsiveness, hallucinations, confabulation, distractibility, and memory problems. Visual disturbances and seizure, as well as fainting (syncope), can also be related to carbon monoxide toxicity. May 15, 2017. Enclosed are work proposal Jan 30,

ACE Chimney Sweep 420361

276-629-4453

Customer's Order No. _____ DATE 2-4-19

SOLD TO Roberta Hill

ADDRESS 310 Forest St Mville

SALESMAN _____ TERMS _____

CASH	CHARGE	C. O. D.	PAID OUT	RETD. MDSE.	RECD. ON ACCT.

QUAN.	DESCRIPTION	PRICE	AMOUNT
1	Install Stainless Steel Multiflue Chimney CAP	$400.00	
	Paid CK# 194		

ALL Claims and Returned Goods MUST Be Accompanied By This Bill

SIGNATURE _____

701051

HOMESAVER®
CHIMNEY RELINING SYSTEMS

Work Proposal

Date 1-30-19
Dealer name ACE Chimney Sweep
Street 296 Dodson Rd
City, State, Zip BASSETT VA
Phone 276-629-4453

SUBMITTED TO:

Name Ken Forinash
Street 200 Greyson St (201)
City, State, Zip Martinsville VA
Phone

E-mail
Job Location 310 Forest
916 Chalmers

JOB DESCRIPTION:

310 Forest Install multiflue chimney cap on Chimney For Fireplace and Boiler 400.00 Includes seating

916 Chalmers
Install Multiflue Chimney CAP on Chimney For Fireplace and Furnace
$1225.00

TERMS OF PROPOSAL:

Amount $ _____. Proposal good for _____ days.

Terms of payment _____

Authorized signature _____

All material is guaranteed to be as specified. All work to be completed in a substantial workmanlike manner according to specifications submitted, per standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Property owner to carry fire, tornado and other necessary insurance. Our workers are fully covered by Workmen's Compensation Insurance.

ACCEPTANCE OF PROPOSAL:

The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Signature _____ Date of acceptance _____

Item #99286

© 2008, CCS

Thank You

Office of the Attorney General of Virginia
Consumer Protection Section

PLEASE PRINT THIS FOR YOUR RECORDS

Thank you for submitting your information. If you need to submit additional information or supporting documents for this complaint, you may send them via email to: consumer@oag.state.va.us, please reference this confirmation number:

Confirmation Number: 22-01544

If necessary, you may fax the information to (804) 225-4378 or mail the documents to:

Office of the Attorney General of Virginia
Consumer Protection Section
202 North Ninth Street
Richmond, VA 23219

If you have questions or need further assistance please email us at: consumer@oag.state.va.us. You may also call us at (804) 786-2042 if calling within Virginia, or (800) 552-9963 if calling outside of Virginia.

Below is a copy of the data that you sent us on 5/17/2022 03:51:58 AM est. Please print or save this data for your records.

Section 1: Contact Information

Title	Mr.
First Name	Brian
Middle Initial	D
Last Name	Hill
Suffix	
Address	310 Forest Street
Apt / Suite	Apt. 2

2980

Section 1: Contact Information

City	Martinsville
State	VA
Zip Code	24112
Country	

Contact Methods

Order	Method Type	Contact Information
1	Email	rbhill67@comcast.net

Section 2: Company Information

Company Name	The Chimney Sweep
Address	1590 Blue Bend Rd
Office / Suite	
City	Rocky Mount
State	VA
Zip Code	24151
Country	
Web Site	
Telephone	(540) 483-2468
Fax	
Other	

Section 3: Complaint Information

Product Type	Home improvement
Additional Information	service to block chimney swifts from entering chimney. Suspect placing metal tin on flues.
Manufacturer, make or brand	Unknown
Model	Unknown
Year	
Serial Number / VIN	Unknown

Section 3: Complaint Information

Date of purchase or lease	10/5/2017
New or used?	Used
Contract or lease signed?	No
Start Date	
End Date	
Total Amount Paid	$0.00
Total Amount Disputed	$0.00
Payment method(s)	Other
Purchased extended service contract?	No
Automotive Repairs	
Received estimate?	No
Authorized changes to estimate?	No
Completed repairs different?	Yes

Section 4: Description Information

Complaint Description	read documents

Section 5: Resolution Information

Company contacted?	No
Contact Name	
Contact Number	
Contact Email	
Resolution Seeking	Read pages 13 through 15 of brief of complaint.
Other Organizations Contacted	
Retained attorney?	No
Attorney Name	

Section 5: Resolution Information

Attorney Phone	
Court action?	Yes
Court Description	Commonwealth of Virginia v. Brian David Hill, criminal case no. CR19000009-00, Martinsville Circuit Court

Section 6: Supporting Documents

Sending documents later?	No

Uploaded Files

File Name	Size	Type
Exhibits OAG Consumer complaint May 17, 2022 Brian Hill(reduced size)_Part1.pdf	4.9 MB	Complaint Description
Exhibits OAG Consumer complaint May 17, 2022 Brian Hill(reduced size)_Part2.pdf	4.3 MB	Complaint Description
OAG Consumer complaint May 17, 2022 Brian Hill(reduced size) without exhibits.pdf	2.1 MB	Complaint Description

;

2983

Subject: Consumer Complaint Submission
From: Consumer Protection <consumersvc@oag.state.va.us>
Date: 5/17/2022, 7:52 AM
To: <rbhill67@comcast.net>

Thank You

Office of the Attorney General of Virginia Consumer Protection Section

Thank you for submitting your information. If you need to submit additional information or supporting documents for this complaint, you may send them via email to: consumer@oag.state.va.us, please reference this confirmation number:

Confirmation Number: 22-01544

If necessary, you may fax the information to (804) 225-4378 or mail the documents to:

Office of the Attorney General of Virginia
Consumer Protection Section
900 East Main Street
Richmond, VA 23219

Below is a copy of the data that you sent us on 5/17/2022 03:51:58 AM est. Please print or save this data for your records.

If you have questions or need further assistance please email us at: consumer@oag.state.va.us. You may also call us at (804) 786-2042 if calling within Virginia, or (800) 552-9963 if calling outside of Virginia.

Section 1: Contact Information

Title	Mr.
First Name	Brian
Middle Initial	D
Last Name	Hill
Suffix	
Address	310 Forest Street
App/Suite	Apt. 2
City	Martinsville
State	VA
Zip Code	24112

Section 1: Contact Information

Country	

Contact Methods

Order	Method Type	Contact Information
1	Email	rbhill67@comcast.net

Section 2: Company Information

Company Name	The Chimney Sweep
Address	1590 Blue Bend Rd
Office / Suite	
City	Rocky Mount
State	VA
Zip Code	24151
Country	
Web Site	
Telephone	(540) 483-2468
Fax	
Other	

Section 3: Complaint Information

Product Type	Home improvement
Additional Information	service to block chimney swifts from entering chimney. Suspect placing metal tin on flues.
Manufacturer, make or brand	Unknown
Model	Unknown
Year	
Serial Number / VIN	Unknown
Date of purchase or lease	10/5/2017
New or used?	Used
Contract or lease signed?	No
Start Date	
End Date	
Total Amount Paid	$0.00
Total Amount Disputed	$0.00
Payment method(s)	Other
Purchased extended service contract?	No
Automotive Repairs	
Received estimate?	No
Authorized changes to estimate?	No

Section 1: Contact Information

Completed repairs different?	Yes

Section 4: Description Information

Complaint Description	read documents

Section 5: Resolution Information

Company contacted?	No
Contact Name	
Contact Number	
Contact Email	
Resolution Seeking	Read pages 13 through 15 of brief of complaint.
Other Organizations Contacted	
Retained attorney?	No
Attorney Name	
Attorney Phone	
Court action?	Yes
Court Description	Commonwealth of Virginia v. Brian David Hill, criminal case no. CR19000009-00, Martinsville Circuit Court

Section 6: Supporting Documents

Sending documents later?	No		
Uploaded Files	**File Name**	**Size**	**Type**
	OAG Consumer complaint May 17, 2022 Brian Hill(reduced size) without exhibits.pdf	2.1 MB	Complaint Description
	Exhibits OAG Consumer complaint May 17, 2022 Brian Hill(reduced size)_Part1.pdf	4.9 MB	Complaint Description
	Exhibits OAG Consumer complaint May 17, 2022 Brian Hill(reduced size)_Part2.pdf	4.3 MB	Complaint Description

Submit

Suppress Personal Information	True

This electronic communication may contain confidential or privileged information for an intended recipient. If you are not the intended recipient or received this email in error, please notify the sender immediately by return email and delete this email without disclosing, duplicating or otherwise transmitting the contents, including all attachments.

Office of the Attorney General

Consumer Service Account |
Office of the Attorney General

,

2986

O: | M: | F:
CServiceAccount@oag.state.va.us
https://www.oag.state.va.us

Subject: Confirmation Number: 22-01544
From: ROBERTA HILL <rbhill67@comcast.net>
Date: 5/17/2022, 5:52 PM
To: "consumer@oag.state.va.us" <consumer@oag.state.va.us>

OAG,

I just thought I'd put on the record that I submitted this complaint electronically on Brian Hill's behalf. He is the one submitting the complaint.

Thanks,
Roberta Hill

COMMONWEALTH of VIRGINIA
Office of the Attorney General

Jason S. Miyares
Attorney General

202 North Ninth Street
Richmond, Virginia 23219
804-786-2071
FAX 804-225-4378

May 18, 2022

Office of the President
The Chimney Sweep
1590 Blue Bend Rd.
Rocky Mount, VA 24151

Re: 953850 Mr. Brian D. Hill VS The Chimney Sweep

Dear Sir or Madam:

Enclosed is a copy of a complaint filed with the Virginia Attorney General's Office regarding your company. This matter was referred to our Dispute Resolution Unit. Our unit utilizes neutral dispute resolution services such as facilitation, conciliation, and mediation at no cost to the participants. Through our services, consumer disputes can be resolved quickly and amicably without the time and expense of litigation.

Please review the enclosed complaint carefully. Although participation in our dispute resolution process is voluntary, we do request an acknowledgement of this letter. If you decide to participate and respond to the complaint, please do so *in writing* within ten (10) business days from the date of this letter. All responses are shared with the consumer. I am available to answer any questions you may have about the process.

This Office will retain the enclosed complaint and copies of all official correspondence regarding the complaint in accordance with the applicable state retention schedule. Under the Virginia Freedom of Information Act, please be advised that these materials will be available to the public for review, upon request.

I may be contacted at (804) 786-1244 or (800) 552-9963, extension 61244 within Virginia. My email address is AZiglar@oag.state.va.us. The fax number is (804) 225-4378.

Sincerely,

Aaron Ziglar

Aaron M. Ziglar
Dispute Resolution Specialist
Dispute Resolution Unit

Enclosure

cc: Mr. Brian D. Hill

COMMONWEALTH of VIRGINIA
Office of the Attorney General

Jason S. Miyares
Attorney General

202 North Ninth Street
Richmond, Virginia 23219
804-786-2071
FAX 804-225-4378

DEAR CONSUMER:

THE ENCLOSED LETTER IS A COURTESY COPY FOR YOUR INFORMATION ONLY.

The Virginia Attorney General's Office has assigned your complaint and has sent this initial correspondence to the business.

Here are some things for you to be aware of as we work on your complaint.

- The **business** has been asked for a response *within 10 business days of the date of this letter.*
- The consumer is **NOT REQUIRED** to respond to this letter. **No contact is necessary.**
- **However**, if you need to share new information **OR** notify the Office that your complaint has been resolved, please contact the Investigator or the Dispute Resolution Specialist who is identified using the contact information listed at the bottom of the enclosed letter.

THIS IS A COURTESY COPY FOR YOUR INFORMATION ONLY.

202

OFFICE OF
ATTORNEY GENERAL OF VIRGINIA
RICHMOND 23219

RICHMOND VA 230
19 MAY 2022PM 6 L

US POSTAGE PITNEY BOWES
ZIP 23219 $ 000.53⁰
02 4W
0000364276 MAY 18 2022

Received on
May 23 2022
Brian D. Hill
Signed

Mr. Brian D. Hill
310 Forest St.
Apt. 2
Martinsville, VA 24112

24112-421010

Subject: Fwd: Tell Brian this is the receipt he wants. Let me know if you got it. (Re: 953850)
From: ROBERTA HILL <rbhill67@comcast.net>
Date: 5/23/2022, 10:48 PM
To: AZiglar@oag.state.va.us, "Coen, Chris" <ccoen@oag.state.va.us>, "Henderson, Deborah J." <DHenderson@oag.state.va.us>
CC: Ken & Stella Forinash <kenstella@comcast.net>, Tracy Beanz <tracy@uncoverdc.com>, "stanleybolten@justiceforuswgo.nl" <StanleyBolten@justiceforuswgo.nl>

Aaron M. Ziglar,
Re: 953850 Mr. Brian D. Hill VS The Chimney Sweep

I have the evidence of the check receipt of money paid to The Chimney Sweep in 2017 for the services mentioned in my son's complaint. That is Brian David Hill.

check # 168 Oct. 5, 2017 $300.00. The Attorney General's Office and their investigators can even subpoena the bank for verification as it was SunTrust bank. We were forced into a new bank such as First Horizon Bank, so we no longer have access to older check records of my bank account.

You can let The Chimney Sweep know that we have the proof of payment for service. Service was rendered and proof of payment shall show this.

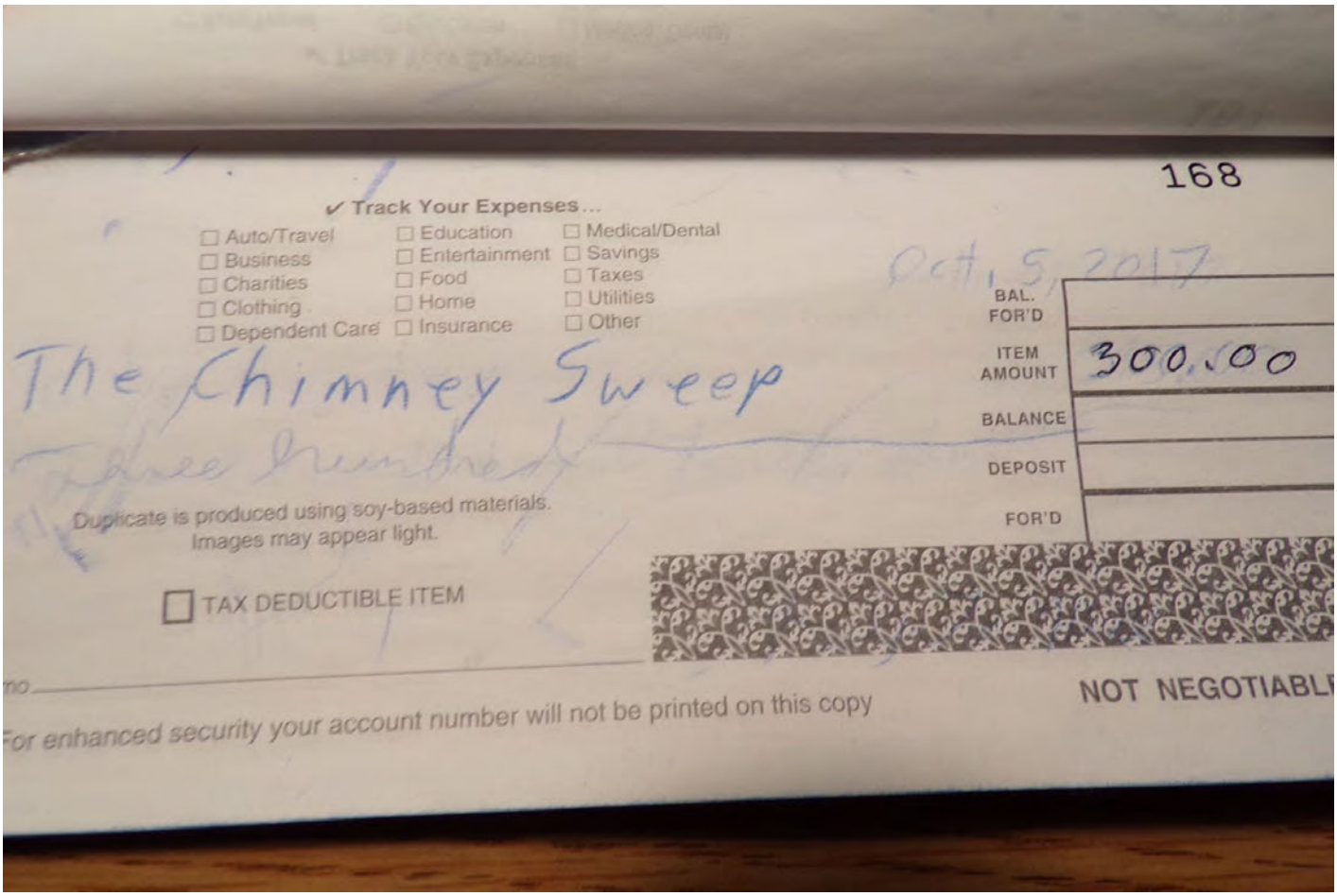
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Thanks,
Roberta Hill

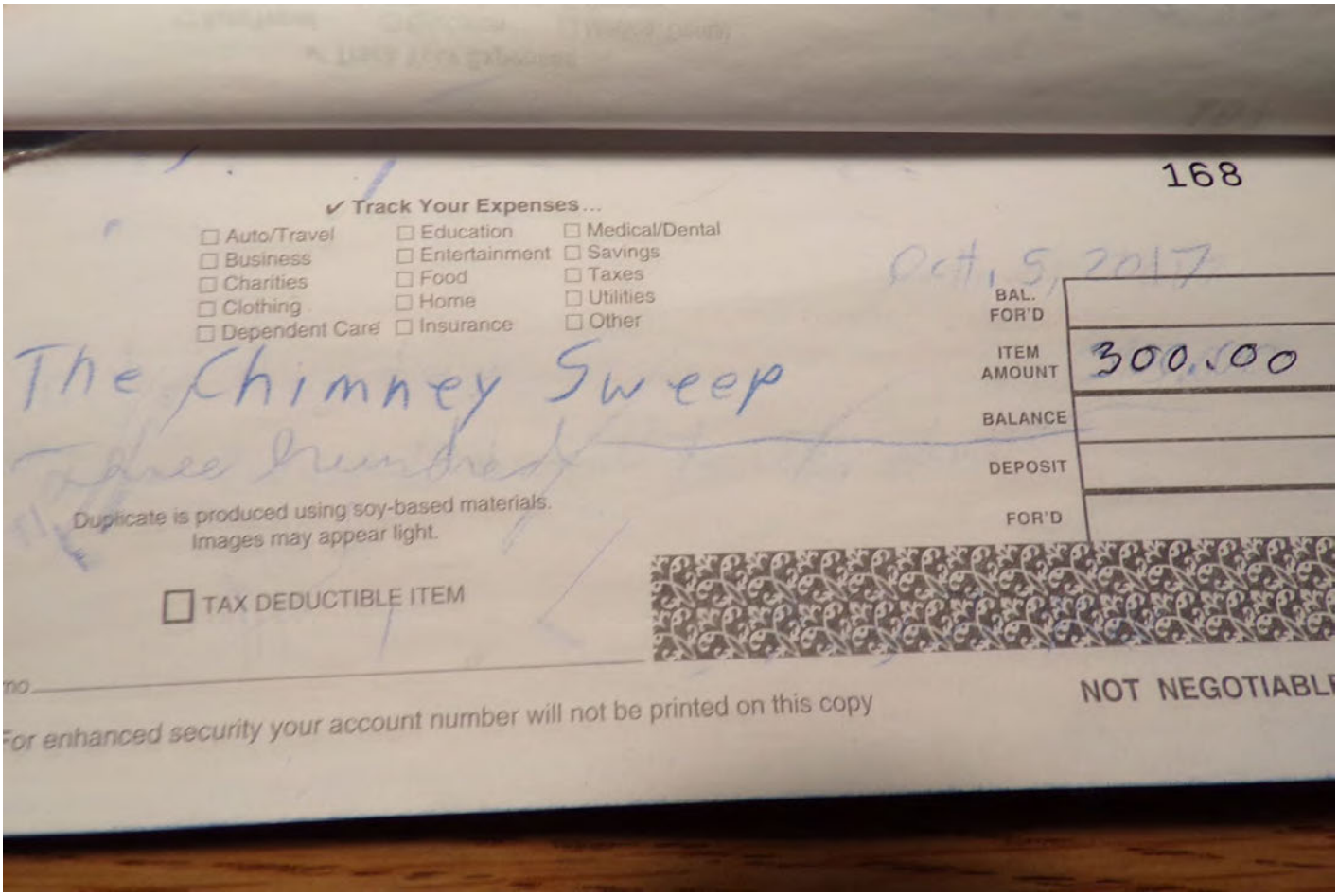
-------- Forwarded Message --------
Subject: Tell Brian this is the receipt he wants. Let me know if you got it.
Date: Mon, 23 May 2022 22:26:44 -0400 (EDT)
From: Ken & Stella Forinash <kenstella@comcast.net>
To:rbhill67@yahoo.com <rbhill67@yahoo.com>, Rbhill67@comcast.net <Rbhill67@comcast.net>, Ken & Stella Forinash <kenstella@comcast.net>

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Oct 5, 2017.jpg


168
✓ Track Your Expenses...
☐ Auto/Travel
☐ Business
☐ Charities
☐ Clothing
☐ Dependent Care
☐ Education
☐ Entertainment
☐ Food
☐ Home
☐ Insurance
☐ Medical/Dental
☐ Savings
☐ Taxes
☐ Utilities
☐ Other
Oct, 5, 2017
The Chimney Sweep
Three hundred
BAL. FOR'D
ITEM AMOUNT
300.00
BALANCE
DEPOSIT
FOR'D
Duplicate is produced using soy-based materials.
Images may appear light.
☐ TAX DEDUCTIBLE ITEM
For enhanced security your account number will not be printed on this copy
NOT NEGOTIABL

1b.jpg

2994



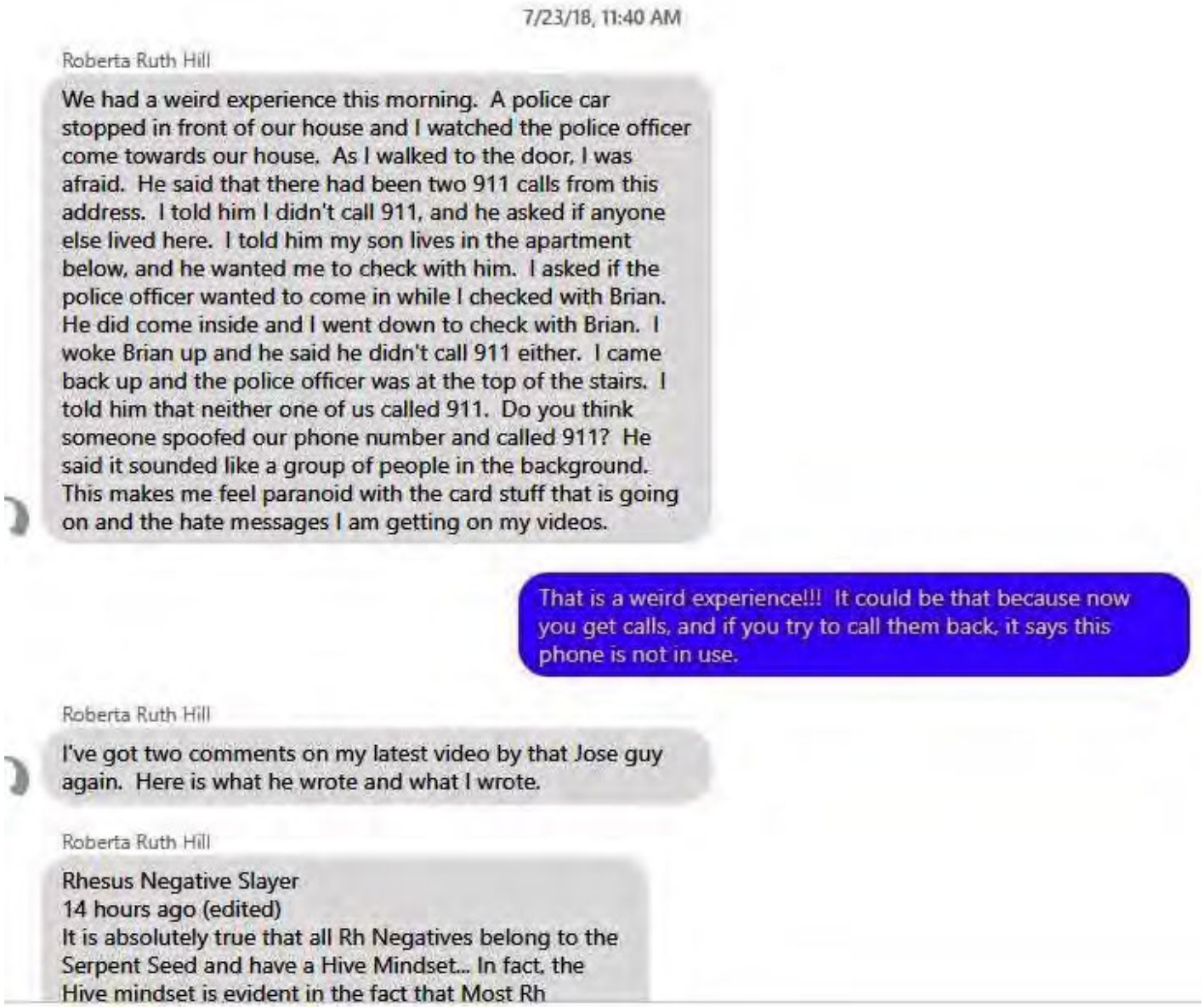
7-23-2018.JPG

7/23/18, 11:40 AM

Roberta Ruth Hill

We had a weird experience this morning. A police car stopped in front of our house and I watched the police officer come towards our house. As I walked to the door, I was afraid. He said that there had been two 911 calls from this address. I told him I didn't call 911, and he asked if anyone else lived here. I told him my son lives in the apartment below, and he wanted me to check with him. I asked if the police officer wanted to come in while I checked with Brian. He did come inside and I went down to check with Brian. I woke Brian up and he said he didn't call 911 either. I came back up and the police officer was at the top of the stairs. I told him that neither one of us called 911. Do you think someone spoofed our phone number and called 911? He said it sounded like a group of people in the background. This makes me feel paranoid with the card stuff that is going on and the hate messages I am getting on my videos.

7-23-2018 2 events.JPG



7.jpg



4a.jpg



2998

2a.jpg



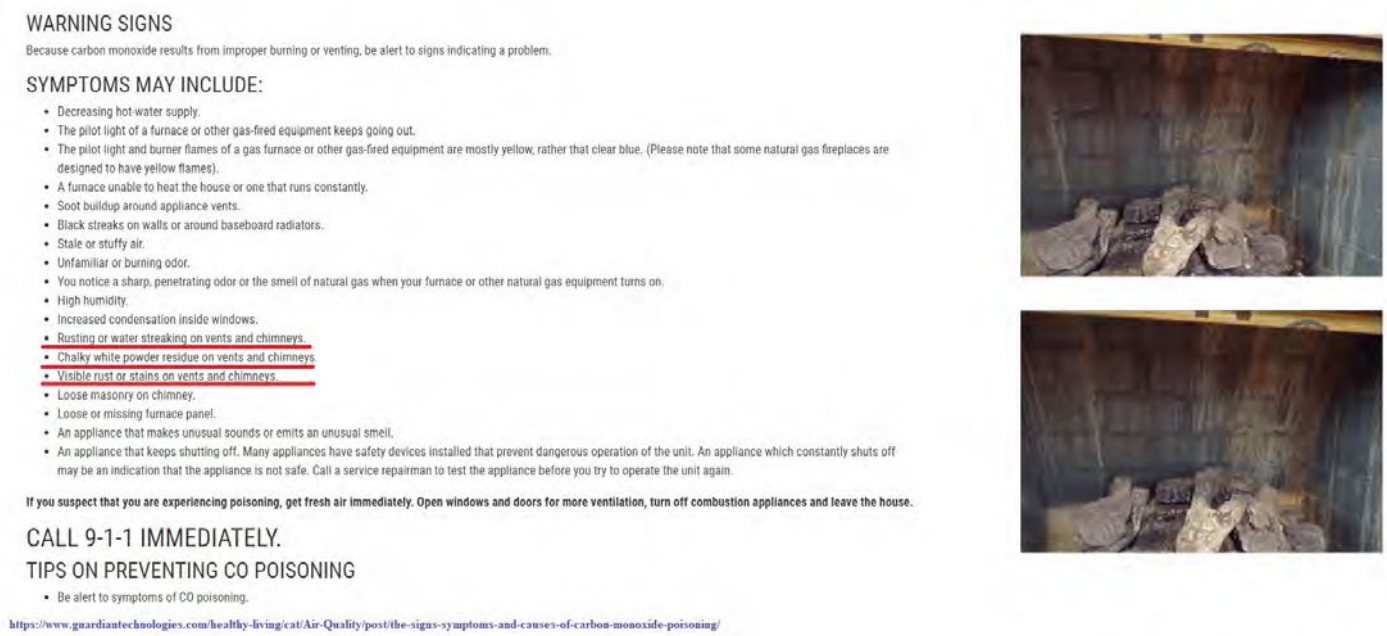
Bills as a result of carbon monoxide.jpg



Ace chimney repair.JPG



66767585_1153455538198610_5796375162739752960_n.jpg



WARNING SIGNS

Because carbon monoxide results from improper burning or venting, be alert to signs indicating a problem.

SYMPTOMS MAY INCLUDE:

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If you suspect that you are experiencing poisoning, get fresh air immediately. Open windows and doors for more ventilation, turn off combustion appliances and leave the house.

CALL 9-1-1 IMMEDIATELY.

TIPS ON PREVENTING CO POISONING

- Be alert to symptoms of CO poisoning.

https://www.guardiantechnologies.com/healthy-living/cat/Air-Quality/post/the-signs-symptoms-and-causes-of-carbon-monoxide-poisoning/

66410163_644757549325990_1707504466598559744_n.jpg

3000

Toxicology http://dx.doi.org/10.1016/j.joad.2015.06.009

Detection of neutrophil–lymphocyte ratio as a serum marker associated with inflammations by acute carbon monoxide poisoning

Mustafa Karabacak[1], Kenan Ahmet Turkdogan[2*], Abuzer Coskun[3], Orhan Akpinar[4], Ali Duman[3], Mücahit Kapci[2], Sevki Hakan Eren[3], Pınar Karabacak[5]

[1]Isparta State Hospital, Department of Cardiology, Isparta, Turkey

[2]Adnan Menderes University, Department of Emergency Medicine, Aydin, Turkey

[3]Cumhuriyet University, Department of Emergency Medicine, Sivas, Turkey

[4]Suleyman Demirel University, Department of Microbiology, Faculty of Dentistry, Isparta, Turkey

[5]Suleyman Demirel University, Department of Anesthesia and Reanimation, Medical Faculty, Isparta, Turkey

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The markers associated with inflammations; white blood cell (WBC) level (9.8 ± 3.3 *vs.* 8.6 ± 2.9 × 10^3/mL, respectively; P = 0.01) and neutrophil count (6.00 ± 2.29 *vs.* 4.43 ± 2.04 × 10^3/mL, respectively; $P < 0.01$) were significantly higher in CO poisoning group than control group. Moreover,

PATIENT: HILL,BRIAN D **ACCT #:** MM7805836274 **LOC:** MM.ER **U #:** MM00370912
REG DR: EKUBAN-GORDON,EDNA MD **AGE/SX:** 27/M **ROOM:** **REG:** 11/19/17
DOB: 05/26/90 **BED:** **DIS:**
STATUS: DEP ER **TLOC:**

**********POINT OF CARE**********

Date / Time	11/19/17 1006		11/19/17 0943		Reference	Units
POC GLU	429	H	435	H	(65-100)	MG/DL

**********HEMATOLOGY**********

Date / Time	11/19/17 1007		Reference	Units
WBC	11.6	H	(4.5-11.0)	K/UL
RBC	5.32		(4.50-5.90)	M/UL
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HCT	46.0		(35.0-49.0)	%
MCV	86.5		(80-96)	UM3
MCH	29.7		(27-32)	PG
MCHC	34.3		(32-37)	G/DL
RDW	13.1		(11.5-14.5)	%
RDW-SD	41.1		(35.1-43.9)	fl
PLT	241		(140-440)	K/UL
MPV	10.8	H	(7.4-10.4)	fl

66111806_865271580506446_3586136227159474176_n.jpg

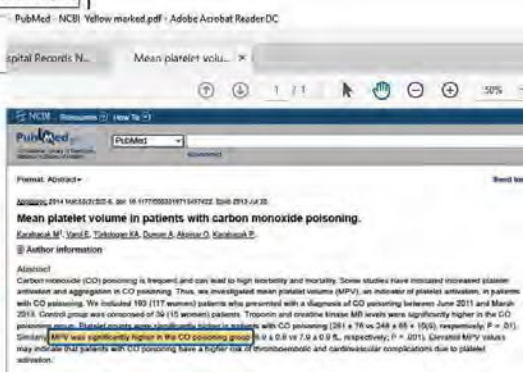
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SEGS %	84	H	(37-80)	%
SEG ABSOLUTE	9.77	H	(1.5-6.8)	K/UL
LYMPH %	10		(10-50)	%
LYMPH ABSOLUTE	1.10		(1.0-4.0)	K/UL



Brian's fireplace after repairs 1 July 2019.jpg



Attachments:

Oct 5, 2017.jpg	224 KB
1b.jpg	427 KB
7-23-2018.JPG	61.4 KB
7-23-2018 2 events.JPG	94.4 KB
7.jpg	185 KB
4a.jpg	716 KB
2a.jpg	334 KB
Bills as a result of carbon monoxide.jpg	314 KB
Ace chimney repair.JPG	56.4 KB
66767585_1153455538198610_5796375162739752960_n.jpg	166 KB
66410163_644757549325990_1707504466598559744_n.jpg	276 KB
66111806_865271580506446_3586136227159474176_n.jpg	236 KB
Brian's fireplace after repairs 1 July 2019.jpg	247 KB

Subject: Automatic reply: Tell Brian this is the receipt he wants. Let me know if you got it. (Re: 953850)
From: "Ziglar, Aaron M." <AZiglar@oag.state.va.us>
Date: 5/23/2022, 10:48 PM
To: ROBERTA HILL <rbhill67@comcast.net>

I will be out of the office until Thursday June 9th. I will not be able to respond to your email until after this date.

Subject: Fwd: Fwd: Tell Brian this is the receipt he wants. Let me know if you got it. (Re: 953850)
From: ROBERTA HILL <rbhill67@comcast.net>
Date: 5/23/2022, 10:59 PM
To: "consumer@oag.state.va.us" <consumer@oag.state.va.us>

Re: 953850 Mr. Brian D. Hill VS The Chimney Sweep

Aaron M. Ziglar will not be in his office until June 9. The Chimney Sweep has already been asked to respond. The complaint was missing evidence of proof of money paid to that service because it was in October, 2017. The proof has been located. The check receipt picture was found proving that $300 was paid to The Chimney Sweep.

Please make sure that is in the evidence and that The Chimney Sweep also receives a copy of this additional evidence. Thanks.

-------- Forwarded Message --------
Subject: Fwd: Tell Brian this is the receipt he wants. Let me know if you got it. (Re: 953850)
Date: Mon, 23 May 2022 22:48:34 -0400 (EDT)
From:ROBERTA HILL <rbhill67@comcast.net>
To:AZiglar@oag.state.va.us, Coen, Chris <ccoen@oag.state.va.us>, Henderson, Deborah J. <DHenderson@oag.state.va.us>
CC: Ken & Stella Forinash <kenstella@comcast.net>, Tracy Beanz <tracy@uncoverdc.com>, stanleybolten@justiceforuswgo.nl <StanleyBolten@justiceforuswgo.nl>

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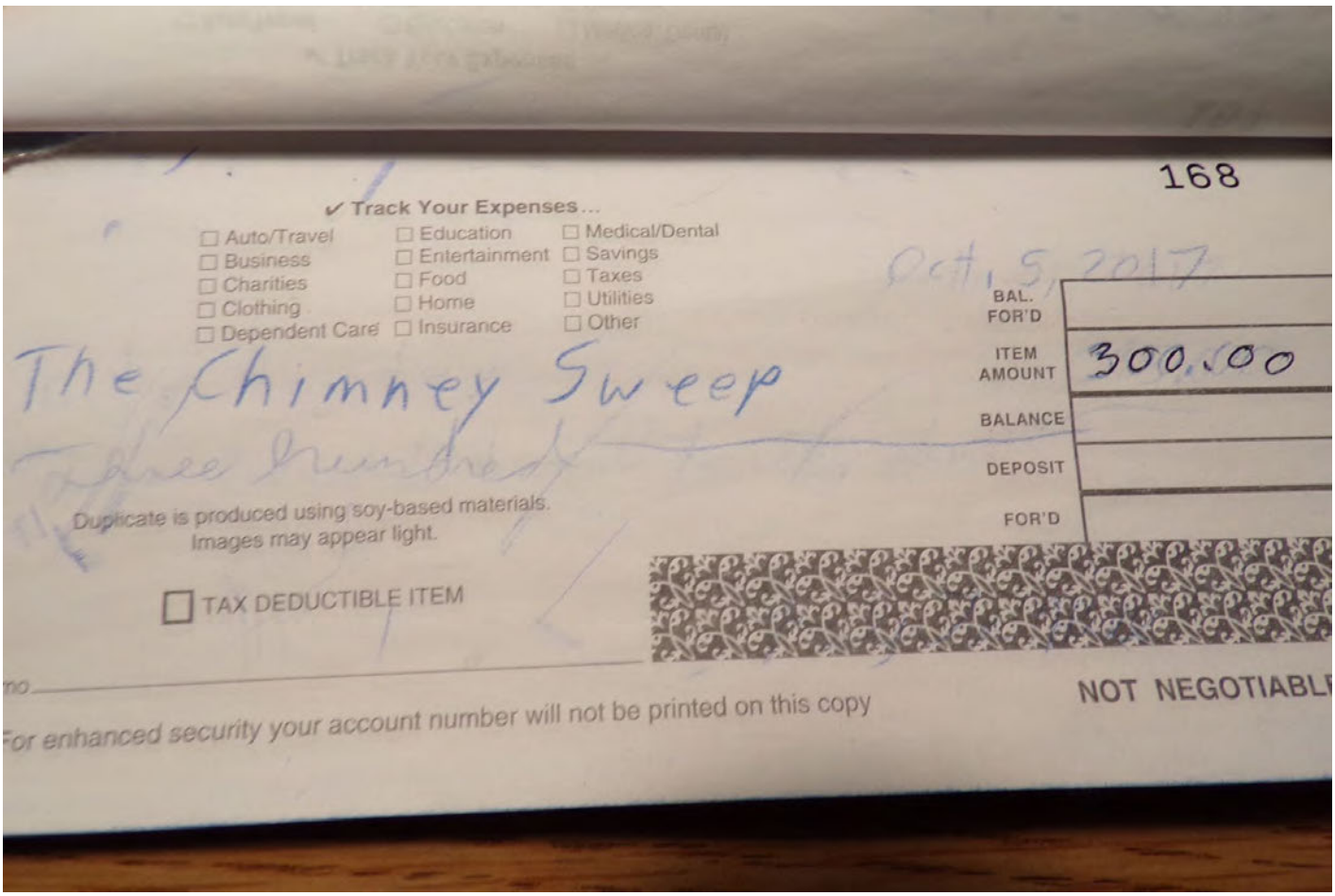
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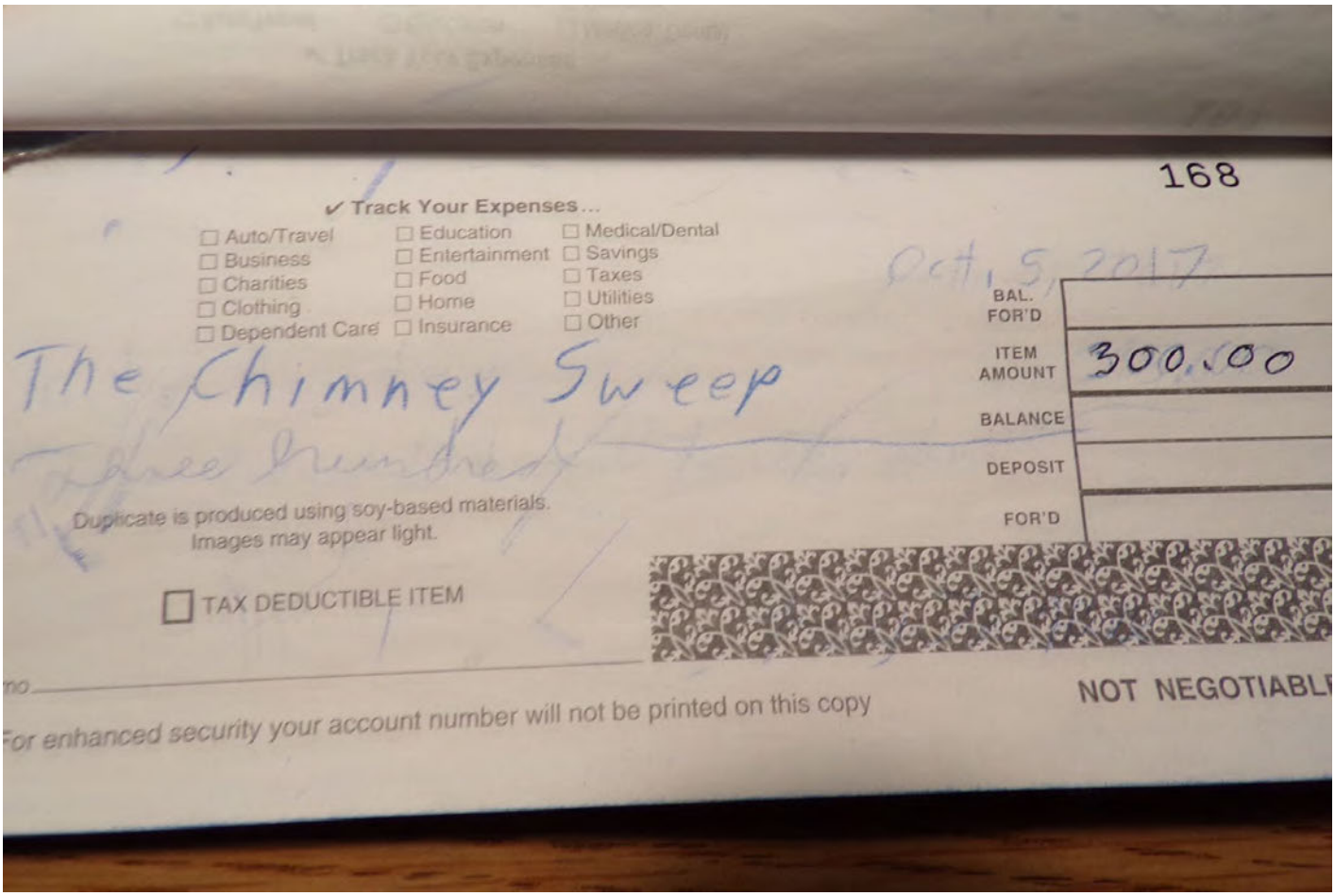
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3005

Oct 5, 2017.jpg



1b.jpg

3006



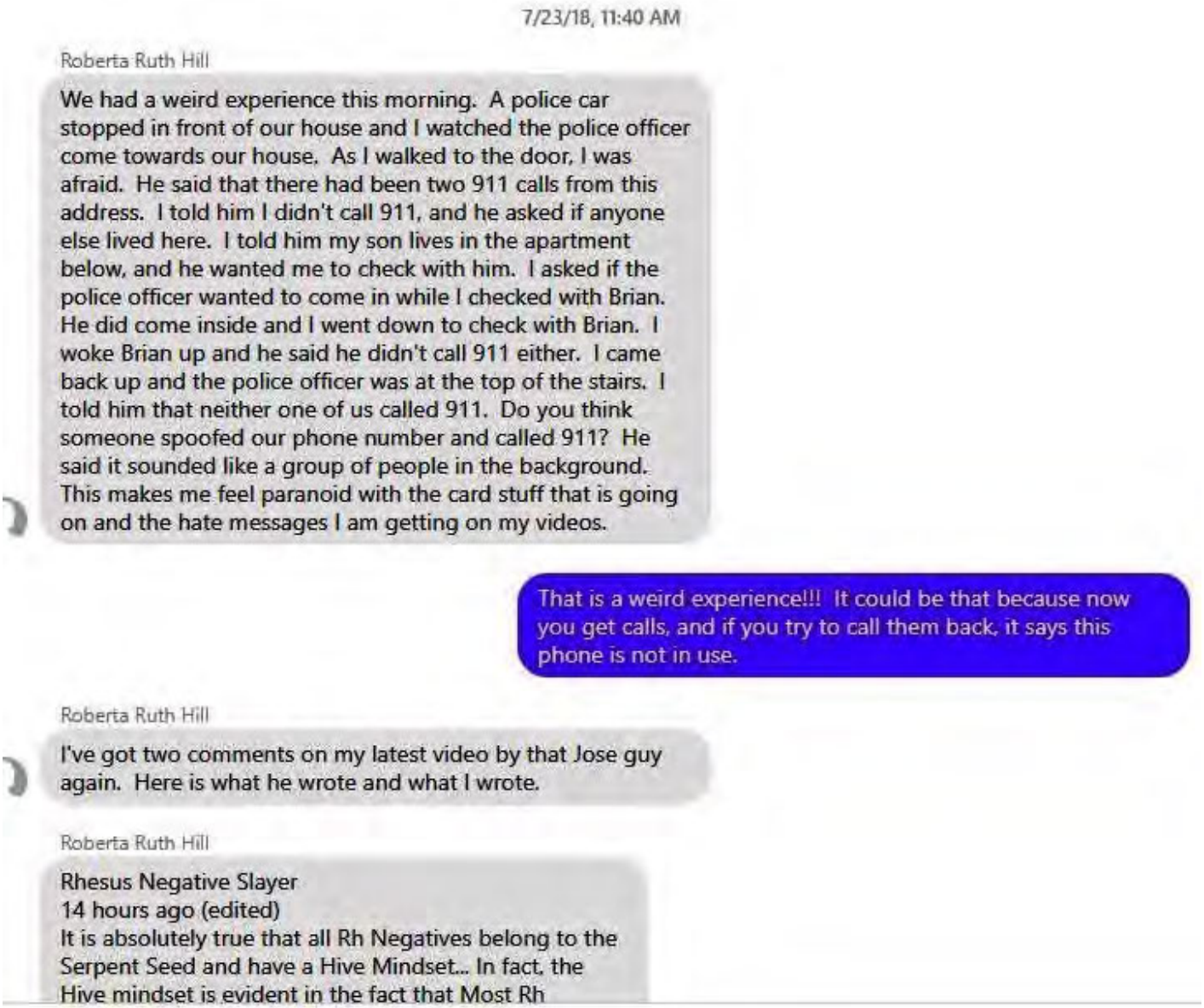
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7.jpg



4a.jpg

3009



3010

2a.jpg



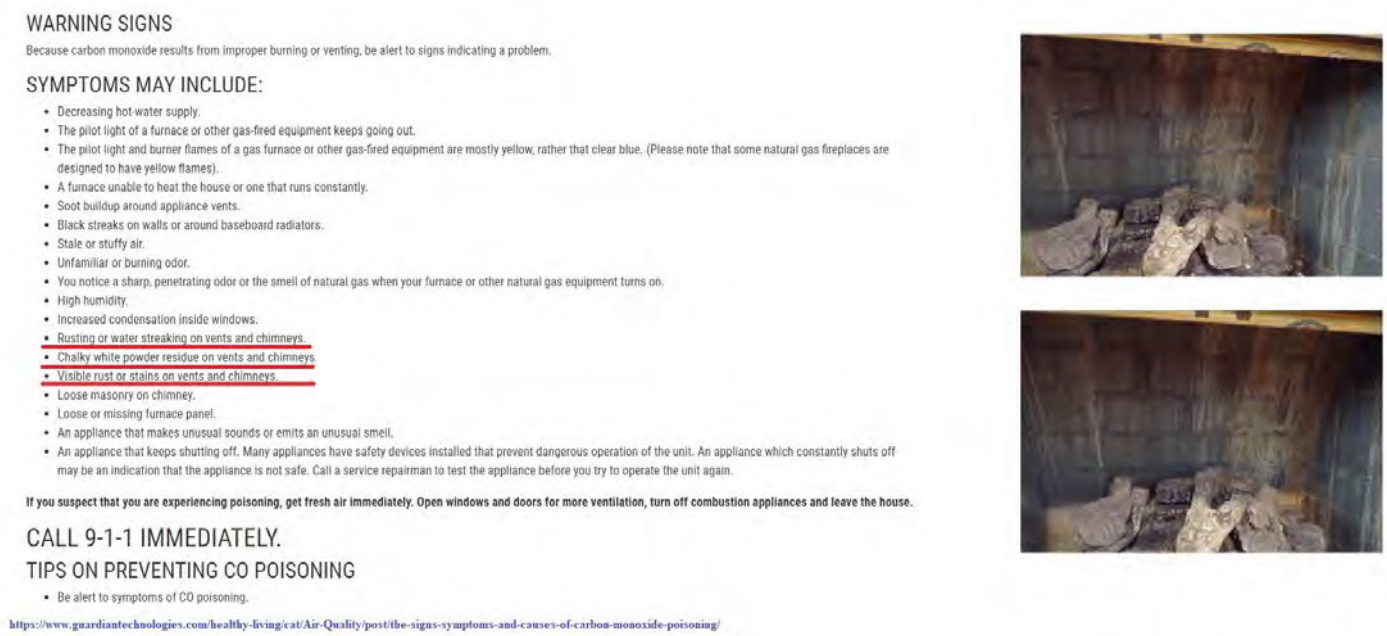
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DOB: 05/26/90 **BED:** **DIS:**
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**********POINT OF CARE**********

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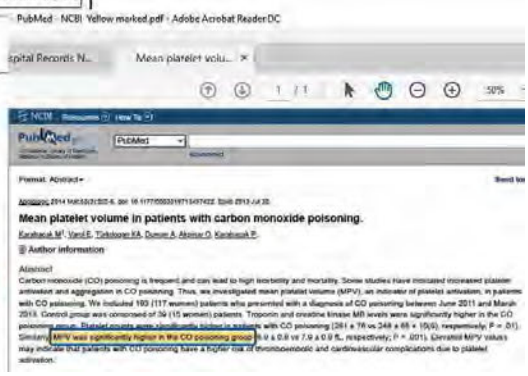
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LYMPH %	10		(10-50)	%
LYMPH ABSOLUTE	1.10		(1.0-4.0)	K/UL

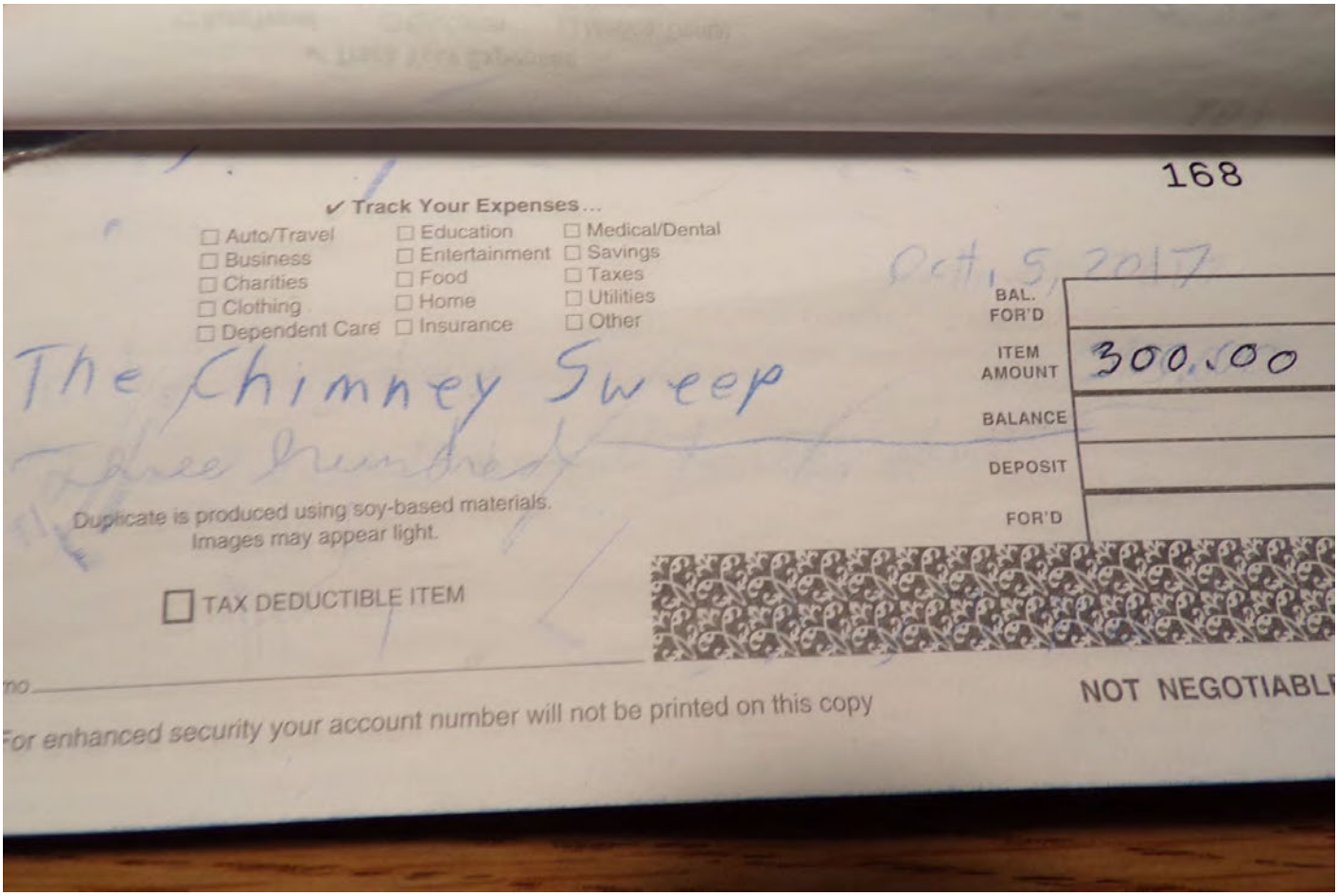


Brian's fireplace after repairs 1 July 2019.jpg



Oct 5, 2017.jpg

3014



Attachments:

Oct 5, 2017.jpg	224 KB
1b.jpg	427 KB
7-23-2018.JPG	61.4 KB
7-23-2018 2 events.JPG	94.4 KB
7.jpg	185 KB
4a.jpg	716 KB
2a.jpg	334 KB
Bills as a result of carbon monoxide.jpg	314 KB
Ace chimney repair.JPG	56.4 KB
66767585_1153455538198610_5796375162739752960_n.jpg	166 KB
66410163_644757549325990_1707504466598559744_n.jpg	276 KB
66111806_865271580506446_3586136227159474176_n.jpg	236 KB
Brian's fireplace after repairs 1 July 2019.jpg	247 KB
Oct 5, 2017.jpg	224 KB

3015

Subject: Re: Fwd: Tell Brian this is the receipt he wants. Let me know if you got it. (Re: 953850)
From: stanleybolten@justiceforuswgo.nl
Date: 5/24/2022, 12:47 AM
To: ROBERTA HILL <rbhill67@comcast.net>
CC: AZiglar@oag.state.va.us, "Coen, Chris" <ccoen@oag.state.va.us>, "Henderson, Deborah J." <DHenderson@oag.state.va.us>, Ken & Stella Forinash <kenstella@comcast.net>, Tracy Beanz <tracy@uncoverdc.com>, consumer@oag.state.va.us

An article has come out on the justice blog about this.

It is time for light to be shown on The Chimney Sweeps, their carbon monoxide poisoning gives me the creeps.

https://justiceforuswgo.wordpress.com/2022/05/24/brian-d-hill-v-the-chimney-sweep-complaint-against-dr-brant-hinchman-of-sovah-health-martinsville-hospital-learn-about-the-carbon-monoxide-poisoning-which-led-to-brians-state-charge-he-is-in/

Aaron M. Ziglar, it is clear that this whole thing has turned into a damn circus. Brian is convicted because of the carbon monoxide poisoning. The FBI needs to question The Chimney Sweeps. The code enforcers need to investigate The Chimney Sweeps. The Fire Marshals need to be asking The chimney Sweeps about their operation of business of placing metal tin on top of chimneys. Was this done to only Brian Hill and Roberta Hill or was this done to other customers??? You know this may be attempted murder or clear incompetence! The State Police need to question The Chimney Sweeps. It is clear that both medical malpractice and the metal tin placed on the chimney led to Brian's indecent exposure charge. The judges knew none of this in 2018 and that was why he was convicted. Now even Chimney Sweep business is reading all about this complaint and finally seeing what their actions had caused, the ripple effect, they know and understand what they did wrong.

We all want to know why carbon monoxide started in the first place with Brian in his home??? We want answers, we've wanted answers since 2018. We want answers and we want answers NOW.

Do we need 1,000 blog articles attacking Glen Andrew Hall the corrupt Commonwealth Attorney, as well as articles on corruption of the lawyers, and calling him a liar publicly before a real investigation happens?

Do we also need 1,000 articles on The chimney Sweep placing metal tin on top of the chimney causing carbon monoxide before they admit they did wrong. If they do admit wrong, what then???? Will they make things right??? Will they turn themselves in to the State Police or the courts to admit that they caused the carbon monoxide gas???

There clearly needs to be accountability of this business. Why hasn't the Fire Marshals or code inspectors of Franklin county investigated Chimney Sweep for this yet???

If Brian wants resolution, there needs to be admission to the wrongdoing, they need to admit placing metal tin on top of the chimney and they need to testify in the circuit court in Brian's criminal case that they caused Brian's exposure to carbon monoxide prior to his indecent exposure charge. That will clear things up very quickly. They need to make amends for their wrongdoing. The Chimney Sweep should receive a copy of this email. We are all angry at the horror and torment Brian had to experience over the last three to four years by the Circuit court and the Federal Court. The Chimney Sweep needs to own up to its mistakes and apologize to Brian Hill for the damages he had experienced and his wrongful conviction. Yeah, they didn't tell Brian to go out there at night, but still they caused the CO induced paranoia, the CO induced weird abnormal behavior, the CO induced brain damage, CO induced eye vision deterioration, and almost the death of Brian David Hill. Would the police hold The Chimney Sweep accountable if Brian was found dead naked on the walking trail in 2018 and the coroner finds evidence of carbon monoxide in his blood???

It is time for there to be resolution, it is long overdue, there needs to be investigations and the Governor Youngkin needs to lay off his ass and grant Brian a full absolute pardon, otherwise this Governor is corrupt and was corrupt like his predecessor. Time to make moves, and not sit on our sorry butts while Brian Hill suffers another day of darkness of depression and hopelessness and horrors in our legal system. OUR CORRUPT LEGAL SYSTEM that is. Brian needs to be cleared. The Chimney Sweep needs to admit to their wrongdoing, even if they face technical code violations or ordinance violations over this, they need to admit to what they had done. I pray to God and Jesus Christ and our heavenly and earthly angels that The Chimney Sweep admits to their mistakes. They are only human. They can save Brian's life by admitting to what had happened. Save Brian's life Chimney Sweep????????????? Please tell the Court that Brian was exposed to carbon monoxide. Please give Brian an affidavit on this, on the metal tin placed on top of the chimney. That will help him be cleared of his conviction. The facts need to be known and made known in the courts. Governor Youngkin needs to not be a pussy here, he needs to save Brian's life and get him off of his wrongful conviction. This needs to be done promptly before the corrupt federal judge Schroeder runs around calling Brian "obscene" and refuses to let Brian be acquitted. Many things must be done and The chimney Sweep can make things right instead of looking like the bad guys here.

On 2022-05-23 22:48, ROBERTA HILL wrote:

> Aaron M. Ziglar,
> Re: 953850 Mr. Brian D. Hill VS The Chimney Sweep
>
> I have the evidence of the check receipt of money paid to The Chimney Sweep in 2017 for the services mentioned in my son's complaint. That is Brian David Hill.

3017

check # 168 Oct. 5, 2017 $300.00. The Attorney General's Office and their investigators can even subpoena the bank for verification as it was SunTrust bank. We were forced into a new bank such as First Horizon Bank, so we no longer have access to older check records of my bank account.

You can let The Chimney Sweep know that we have the proof of payment for service. Service was rendered and proof of payment shall show this.

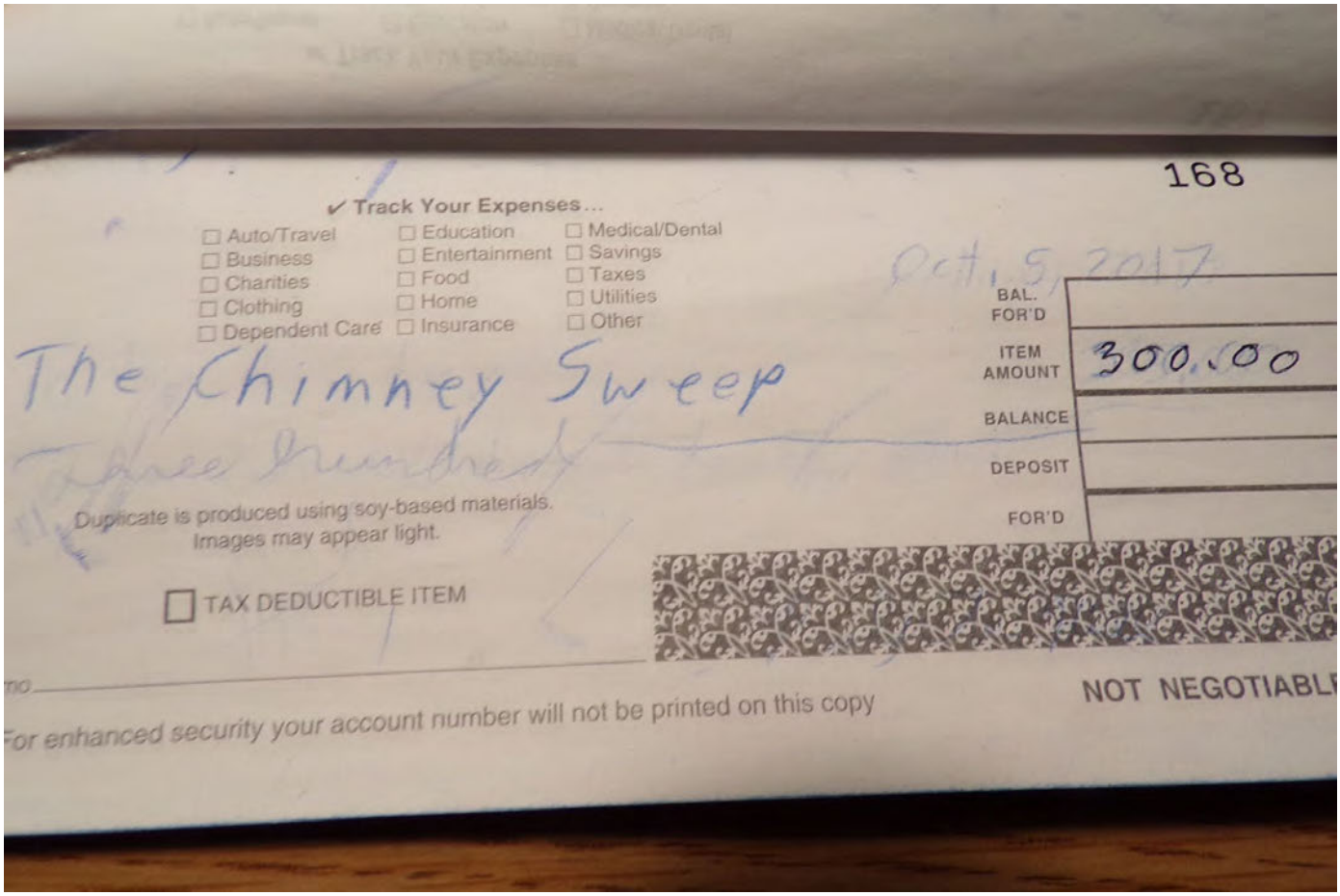
My son had also filed a complaint against the Hospital for refusing to complete the ordered laboratory tests. They would have found evidence of carbon monoxide at the time of his arrest for indecent exposure which would explain my son's indecent exposure behavior at nighttime on September 21, 2018. The Chimney Sweep and Sovah Health Martinsville memorial hospital are both at the heart of my son's wrongful criminal charge on September 21, 2018. Time for The Chimney Sweep to admit to the "metal tin" and time for them to make amends for my son's years of misery, imprisonment in both federal and state, and criminal case litigation nightmare and appeals nightmare. Clerks harassing him and being mean to him, judging him over his charge. Somebody needs to pay for my son's wrongful conviction of indecent exposure in 2019. The jury needs to be convened and hear about the metal tin causing carbon monoxide. A new trial must be ordered in my son's criminal case.

Thanks,
Roberta Hill

-------- Forwarded Message --------
Subject:Tell Brian this is the receipt he wants. Let me know if you got it.
Date:Mon, 23 May 2022 22:26:44 -0400 (EDT)
From:Ken & Stella Forinash <kenstella@comcast.net>
To:rbhill67@yahoo.com <rbhill67@yahoo.com>, Rbhill67@comcast.net <Rbhill67@comcast.net>, Ken & Stella Forinash <kenstella@comcast.net>

Roberta,

I also found some more things about the carbon monoxide that I will send for Brian. Just save all of these in one folder called "Carbon monoxide". Let me know if you got this. This was from check # 168 Oct. 5, 2017 $300.00


168
✓ Track Your Expenses...
☐ Auto/Travel ☐ Education ☐ Medical/Dental
☐ Business ☐ Entertainment ☐ Savings
☐ Charities ☐ Food ☐ Taxes
☐ Clothing ☐ Home ☐ Utilities
☐ Dependent Care ☐ Insurance ☐ Other
Oct. 5, 2017
The Chimney Sweep
Three Hundred
BAL. FOR'D
ITEM AMOUNT 300.00
BALANCE
DEPOSIT
FOR'D
Duplicate is produced using soy-based materials.
Images may appear light.
☐ TAX DEDUCTIBLE ITEM
For enhanced security your account number will not be printed on this copy
NOT NEGOTIABL

3019

Subject: Read: Tell Brian this is the receipt he wants. Let me know if you got it. (Re: 953850)
From: "Ziglar, Aaron M." <AZiglar@oag.state.va.us>
Date: 6/10/2022, 10:46 AM
To: ROBERTA HILL <rbhill67@comcast.net>

Your message

To: Ziglar, Aaron M.
Subject: Fwd: Tell Brian this is the receipt he wants. Let me know if you got it. (Re: 953850)
Sent: Monday, May 23, 2022 10:48:34 PM (UTC-05:00) Eastern Time (US & Canada)

was read on Friday, June 10, 2022 10:45:50 AM (UTC-05:00) Eastern Time (US & Canada).

```
Final-recipient: RFC822; AZiglar@oag.state.va.us
Disposition: automatic-action/MDN-sent-automatically; displayed
X-MSExch-Correlation-Key: EHQe0rQpdEu3pKrw9ZkS4g==
X-Display-Name: Ziglar, Aaron M.
```

Subject: Read: Fwd: Tell Brian this is the receipt he wants. Let me know if you got it. (Re: 953850)
From: "Ziglar, Aaron M." <AZiglar@oag.state.va.us>
Date: 6/10/2022, 10:46 AM
To: ROBERTA HILL <rbhill67@comcast.net>

Your message

To: Ziglar, Aaron M.
Subject: Fwd: Tell Brian this is the receipt he wants. Let me know if you got it. (Re: 953850)
Sent: Monday, May 23, 2022 10:48:34 PM (UTC-05:00) Eastern Time (US & Canada)

was read on Friday, June 10, 2022 10:46:43 AM (UTC-05:00) Eastern Time (US & Canada).

```
Final-recipient: RFC822; AZiglar@oag.state.va.us
Disposition: automatic-action/MDN-sent-automatically; displayed
X-MSExch-Correlation-Key: EHQe0rQpdEu3pKrw9ZkS4g==
Original-Message-ID: <776430715.56643.1653360514631@connect.xfinity.com>
X-Display-Name: Ziglar, Aaron M.
```

Subject: RE: Tell Brian this is the receipt he wants. Let me know if you got it. (Re: 953850)
From: "Ziglar, Aaron M." <AZiglar@oag.state.va.us>
Date: 6/10/2022, 10:54 AM
To: ROBERTA HILL <rbhill67@comcast.net>

Good morning Mr. Hill,

Thank you for authorizing the Virginia Attorney General's Office to assist in seeking a resolution to your complaint. This matter was referred to our Dispute Resolution Unit. Our unit utilizes neutral dispute resolution services such as facilitation, conciliation, and mediation at no cost to the participants. Through our services, consumer disputes can be resolved quickly and amicably without the time and expense of litigation. We have forwarded a copy of your complaint to the business but have yet to receive a response.

You should be aware that the dispute resolution process is not a legal process, we are not attorneys and cannot provide legal advice – thus, there is no final decision that our Office will make. Participation is voluntary – we cannot compel either party to respond, offer or accept the other party's offer of resolution. If a mutually agreeable resolution cannot be obtained we typically advise the complainant of other options available to pursue the complaint in court, at which point our Office is no longer involved.

Once we receive notice of agreement from the business to participate in the dispute resolution process, we ask that a written response is provided within ten (10) business days of the acknowledgment. All responses are shared with the consumer, and if there is a follow-up response from the consumer it is shared with the business as well.

This Office will retain the original complaint and copies of all official correspondence regarding the complaint in accordance with the applicable state retention schedule. Under the Virginia Freedom of Information Act, please be advised that these materials will be available to the public for review, upon request.

Please let me know if you have any questions about our process or can provide any additional information.

Sincerely,

Aaron M. Ziglar
Dispute Resolution Specialist
Office of the Attorney General
202 North 9th Street
Richmond, Virginia 23219
(804) 786-1244 Office
AZiglar@oag.state.va.us
http://www.ag.virginia.gov



From: ROBERTA HILL <rbhill67@comcast.net>
Sent: Monday, May 23, 2022 10:49 PM
To: Ziglar, Aaron M. <AZiglar@oag.state.va.us>; Coen, Chris <ccoen@oag.state.va.us>; Henderson, Deborah J. <DHenderson@oag.state.va.us>

3022

Cc: Ken & Stella Forinash <kenstella@comcast.net>; Tracy Beanz <tracy@uncoverdc.com>; stanleybolten@justiceforuswgo.nl
Subject: Fwd: Tell Brian this is the receipt he wants. Let me know if you got it. (Re: 953850)
Importance: High

Aaron M. Ziglar,
Re: 953850 Mr. Brian D. Hill VS The Chimney Sweep

I have the evidence of the check receipt of money paid to The Chimney Sweep in 2017 for the services mentioned in my son's complaint. That is Brian David Hill.

check # 168 Oct. 5, 2017 $300.00. The Attorney General's Office and their investigators can even subpoena the bank for verification as it was SunTrust bank. We were forced into a new bank such as First Horizon Bank, so we no longer have access to older check records of my bank account.

You can let The Chimney Sweep know that we have the proof of payment for service. Service was rendered and proof of payment shall show this.

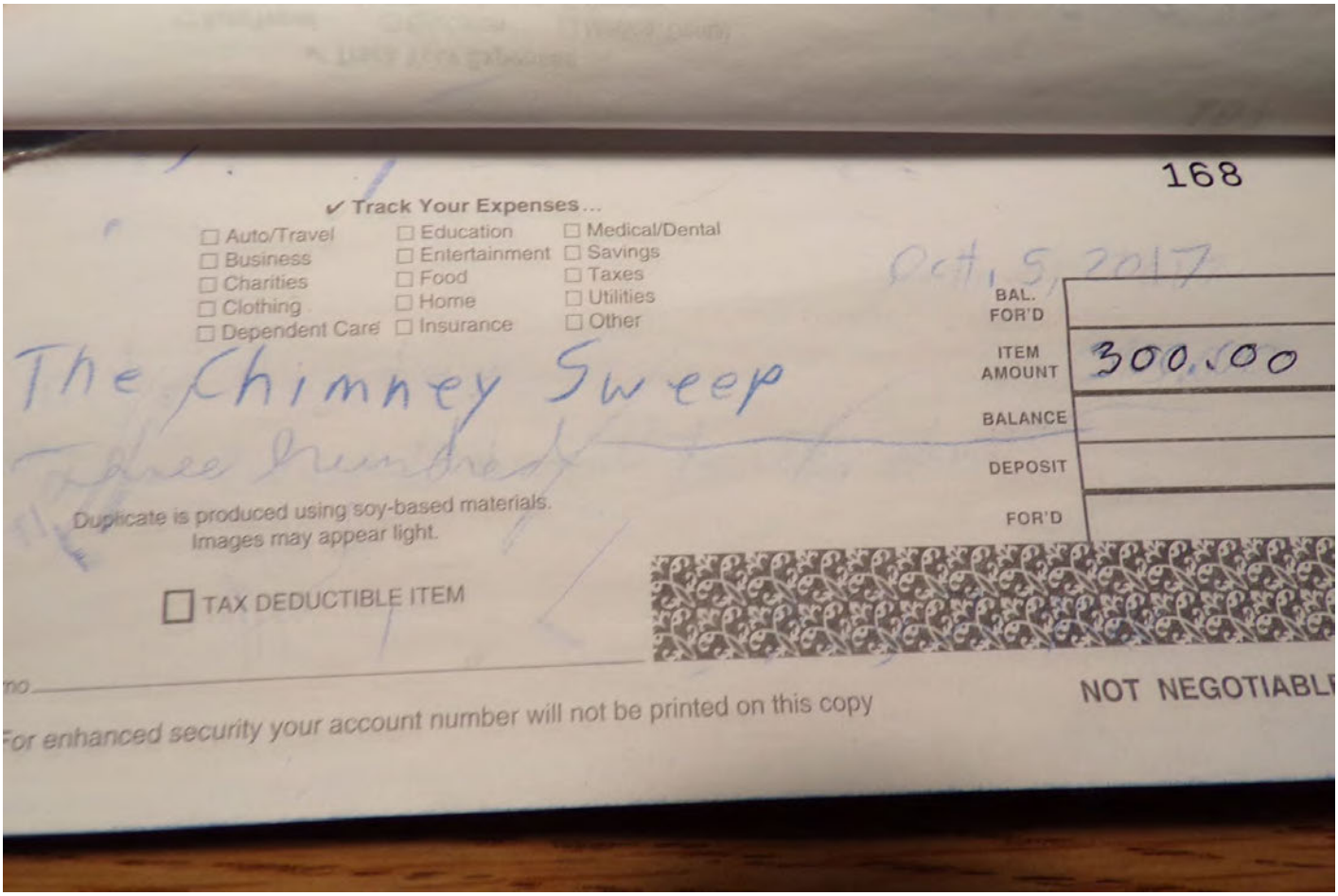
My son had also filed a complaint against the Hospital for refusing to complete the ordered laboratory tests. They would have found evidence of carbon monoxide at the time of his arrest for indecent exposure which would explain my son's indecent exposure behavior at nighttime on September 21, 2018. The Chimney Sweep and Sovah Health Martinsville memorial hospital are both at the heart of my son's wrongful criminal charge on September 21, 2018. Time for The Chimney Sweep to admit to the "metal tin" and time for them to make amends for my son's years of misery, imprisonment in both federal and state, and criminal case litigation nightmare and appeals nightmare. Clerks harassing him and being mean to him, judging him over his charge. **Somebody needs to pay for my son's wrongful conviction of indecent exposure in 2019. The jury needs to be convened and hear about the metal tin causing carbon monoxide. A new trial must be ordered in my son's criminal case.**

Thanks,
Roberta Hill

-------- Forwarded Message --------
Subject: Tell Brian this is the receipt he wants. Let me know if you got it.
Date: Mon, 23 May 2022 22:26:44 -0400 (EDT)
From: Ken & Stella Forinash <kenstella@comcast.net>
To:rbhill67@yahoo.com <rbhill67@yahoo.com>, Rbhill67@comcast.net <Rbhill67@comcast.net>, Ken & Stella Forinash <kenstella@comcast.net>

Roberta,

I also found some more things about the carbon monoxide that I will send for Brian. Just save all of these in one folder called "Carbon monoxide". Let me know if you got this. This was from check # 168 Oct. 5, 2017 $300.00



168

✓ Track Your Expenses...

☐ Auto/Travel ☐ Education ☐ Medical/Dental
☐ Business ☐ Entertainment ☐ Savings
☐ Charities ☐ Food ☐ Taxes
☐ Clothing ☐ Home ☐ Utilities
☐ Dependent Care ☐ Insurance ☐ Other

Oct, 5, 2017

The Chimney Sweep

Three hundred

BAL. FOR'D
ITEM AMOUNT 300.00
BALANCE
DEPOSIT
FOR'D

Duplicate is produced using soy-based materials.
Images may appear light.

☐ TAX DEDUCTIBLE ITEM

no

For enhanced security your account number will not be printed on this copy

NOT NEGOTIABL

3024

Subject: RE: Tell Brian this is the receipt he wants. Let me know if you got it. (Re: 953850)
From: ROBERTA HILL <rbhill67@comcast.net>
Date: 6/10/2022, 1:21 PM
To: "Ziglar, Aaron M." <AZiglar@oag.state.va.us>
CC: Kenstella <kenstella@comcast.net>, "kenstella2005@comcast.net" <kenstella2005@comcast.net>, "stanleybolten@justiceforuswgo.nl" <stanleybolten@justiceforuswgo.nl>, Tim <Tim.Tatum@franklincountyva.gov>, John <John.Broughton@franklincountyva.gov>, Wood <rwood@rockymountva.org>, Kathy <Kathy.Angle@franklincountyva.gov>, "Coen, Chris" <ccoen@oag.state.va.us>

Aaron Ziglar,

I apologize for not having the proof earlier for my son's complaint but yes $300 was paid by check to The Chimney Sweep on October 5, 2017. My bank account was at SunTrust bank in Martinsville before it was bought by First Horizon bank, now my bank account was merged with First Horizon. The check stub is the proof I paid for such service.

This proves along with the testimony of Pete Compton of ACE Chimney service from Bassett that the carbon monoxide suffering of my son Brian David Hill and myself Roberta Hill had started since October 5, 2017. This caused prolonged exposure of carbon monoxide. The hot water heater below Apartment 2, my son's apartment, and radiator also below Apartment 2, which both used gas had nowhere to exhaust the gas had caused the carbon monoxide poisoning due to the metal tin. Improper or blocked ventilation. It may be criminal negligence. It can cause death and caused inappropriate behavior of my son. I was extremely tired during the carbon monoxide. My son has autism spectrum disorder and the carbon monoxide caused him to wander away from home (wandering) and being manipulated possibly by hallucinations to get naked on the Dick and Willie passage walking trail in Martinsville, VA on September 21st, 2018.

Prolonged exposure to the carbon monoxide gas caused my son's indecent exposure criminal charge on September 21, 2018. Case number CR1900009-00. **Please notify The Chimney Sweep by mail and email about this since I do not have their business email address. They need to agree to at least testify under affidavit and send us an affidavit about them placing the metal tin on our chimney flues connected to me and my son's apartments at 310 Forest Street which caused the carbon monoxide exposure, prolonged exposure.** They need to admit to them causing the problem and their negligence.

We have tried to file complaints with Franklin County code enforcement and Rocky Mount Code enforcement because as government they could investigate the possible code violations and verify our claims which would lead to my son's acquittal for **indecent exposure due to intoxication by carbon monoxide, caused by The Chimney Sweep**. That is a criminal defense of indecent exposure caused by intoxication due to chemical, gas, or substance. **They refused to take any action as code enforcement because of a statute of limitations. But my son was wrongfully convicted of indecent exposure because The Chimney Sweep placed metal tin on top of the chimney flues causing improper blocked ventilation.**

My son was thinking about filing an affidavit with the State Police about all this for criminal

negligence because my son is not guilty of indecent exposure and **wants The Chimney Sweep to at least respond and share the criminal liability** for the charged indecent exposure on September 21, 2018. My son wants them charged like he was charged. They are responsible for his indecent exposure. The Chimney Sweep is directly the cause and should be held responsible too in the criminal justice system.

If they refuse to testify and give us an affidavit about what they did on October 5, 2017 placing the metal tin on top of the chimney flues then **my son plans on going to the State Police to tell them why he was naked on September 21, 2018**. **The Chimney Sweep should be held culpable for what my son was charged with criminally.**

We want them to fix what they did by admitting to what they did and explain what they did to Glen Andrew Hall, Esq, the corrupt Commonwealth Attorney.

We want resolution for their carbon monoxide poisoning which had caused my son's indecent exposure charge.

Kenneth and Stella Forinash also want The Chimney Sweep to at least admit to what they did for their negligence which caused Brian David Hill to be out naked at night miles away from home on September 21st 2018. It is clear as day the carbon monoxide caused my son's criminal charge. **The Chimney Sweep needs to admit to what they had done or also be held responsible for what happened on September 21, 2018.**

Thanks,
Roberta Hill

> On 06/10/2022 10:54 AM Ziglar, Aaron M. <aziglar@oag.state.va.us> wrote:
>
> Good morning Mr. Hill,
>
> Thank you for authorizing the Virginia Attorney General's Office to assist in seeking a resolution to your complaint. This matter was referred to our Dispute Resolution Unit. Our unit utilizes neutral dispute resolution services such as facilitation, conciliation, and mediation at no cost to the participants. Through our services, consumer disputes can be resolved quickly and amicably without the time and expense of litigation. We have forwarded a copy of your complaint to the business but have yet to receive a response.
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> You should be aware that the dispute resolution process is not a legal process, we are not attorneys and cannot provide legal advice – thus, there is no final decision that our Office will make. Participation is voluntary – we cannot compel either party to respond, offer or accept the other party's offer of resolution. If a mutually agreeable resolution cannot be obtained we typically advise the complainant of other options available to pursue the complaint in court, at which point

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Please let me know if you have any questions about our process or can provide any additional information.

Sincerely,

Aaron M. Ziglar
Dispute Resolution Specialist
Office of the Attorney General
202 North 9th Street
Richmond, Virginia 23219
(804) 786-1244 Office
AZiglar@oag.state.va.us
http://www.ag.virginia.gov

-

3027

From: ROBERTA HILL <rbhill67@comcast.net>
Sent: Monday, May 23, 2022 10:49 PM
To: Ziglar, Aaron M. <AZiglar@oag.state.va.us>; Coen, Chris <ccoen@oag.state.va.us>; Henderson, Deborah J. <DHenderson@oag.state.va.us>
Cc: Ken & Stella Forinash <kenstella@comcast.net>; Tracy Beanz <tracy@uncoverdc.com>; stanleybolten@justiceforuswgo.nl
Subject: Fwd: Tell Brian this is the receipt he wants. Let me know if you got it. (Re: 953850)
Importance: High

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Re: 953850 Mr. Brian D. Hill VS The Chimney Sweep

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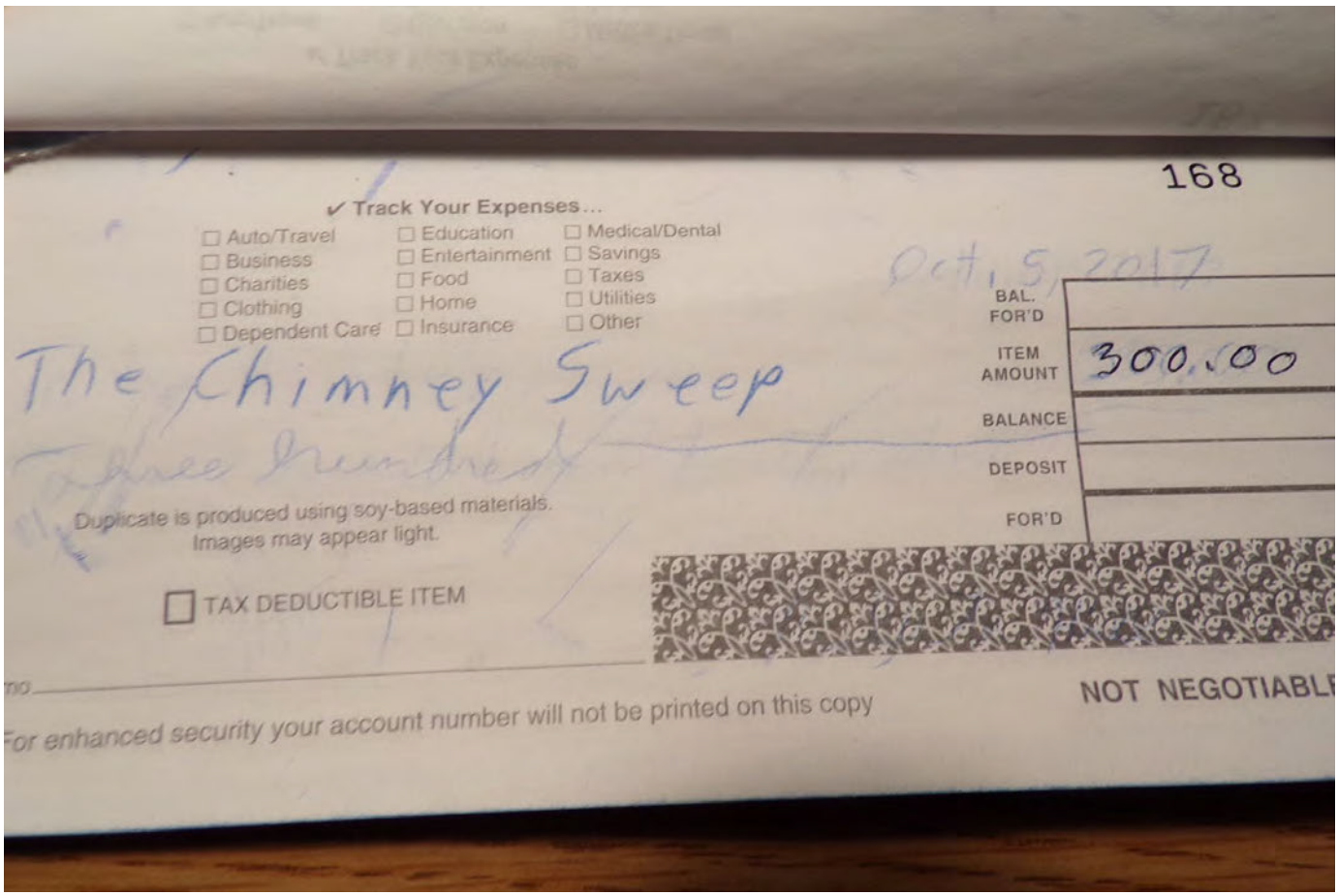
Thanks,
Roberta Hill

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From: Ken & Stella Forinash <kenstella@comcast.net>
To:rbhill67@yahoo.com <rbhill67@yahoo.com>, Rbhill67@comcast.net <Rbhill67@comcast.net>, Ken & Stella Forinash <kenstella@comcast.net>

Roberta,

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3029

Subject: Re: Tell Brian this is the receipt he wants. Let me know if you got it. (Re: 953850)
From: Stanley Bolten <stanleybolten@justiceforuswgo.nl>
Date: 6/10/2022, 9:46 PM
To: ROBERTA HILL <rbhill67@comcast.net>
CC: "Ziglar, Aaron M." <AZiglar@oag.state.va.us>, Kenstella <kenstella@comcast.net>, kenstella2005@comcast.net, Tim <Tim.Tatum@franklincountyva.gov>, John <John.Broughton@franklincountyva.gov>, Wood <rwood@rockymountva.org>, Kathy <Kathy.Angle@franklincountyva.gov>, "Coen, Chris" <ccoen@oag.state.va.us>

Aaron Ziglaw, Franklin County, all of you officials,

It's good for all of you to be aware of what was really going on. The police charged a fraudulent case, a faulty case full of fraud, lies, and misconceptions.

Somebody needs to get this information directly to Robert Jones of MPD. He needs to be directly contacted, not through the corrupt police chief who protects drug dealers, somebody needs to tell Robert Jones of Martinsville PD directly and explain to him what The Chimney Sweep had done on that date of 09-05-2017 M/D/YEAR. The Chimney Sweep had caused the whole carbon monoxide poisoning. They caused the blocking of ventilation of the gas which caused Brian's criminal charge and arrest.

Not only that but Sovah Health Martinsville, according to their own medical records did not medically clear Brian Hill with a fine tooth comb. They cancelled the ordered laboratory testings. They could have easily identified the carbon monoxide poisoning levels in his blood. They refused to conduct any laboratory testing then sit there and claim under affidavit criminal complaint that Brian Hill was medically and psychologically cleared. That is a LIE, LIE, LIE, LIE, LIE. The basis for Brian's criminal charge was based on a LIE. His criminal charge was a fraud, the police report is a fraud because the police did not know he was NOT MEDICALLY CLEARED. Not cleared with any proven laboratory testing results. Brian could have sniffed glue, mind screws up, then ran out on the walking trail naked. Brian could have sniffed bath salts then went crazy out there nude. The police has no proof, no evidence of being medically cleared and yet said so in their affidavit criminal complaint. The police report I heard of and saw in the court records is a fraud because Brian was not cleared. The State Police does need to investigate all of this.

Robert Jones, Martinsville Police, needs to be directly notified about "The Chimney Sweep". He needs to interrogate The Chimney Sweep about the "metal tin" placed on the chimney top. Heck if anybody had his direct email address to that police officer, I may just email him the article after article published on my blog administration Justiceforuswgo.wordpress.com.

If anybody has his direct email, not the crappy drug dealer protecting police chief GE Cassady, NOT THE DRUG HOUSE PROTECTING CHIEF OF POLICE, NO, If anybody can give me his direct email address, I can inform investigator RD Jones about that chimney company and demand that they be investigated for the cause of Brian's indecent exposure behavior.

"CAUSE AND EFFECT". Chimney Sweep are the cause, indecent exposure WAS THE EFFECT.

The government officials need to start investigating this, contact the State Police. They aren't going to listen to Brian but they will listen to city officials or county officials. **Some people need to seriously consider making tips to State Police of VIRGINIA and tell the State Police about The Chimney Sweep and what caused the indecent exposure charge. The cause was carbon monoxide, and the evidence can better prove that then some black man wearing a hoodie they never could find anywhere, but carbon monoxide can be found, evidence of it can be found, the police can verify the carbon monoxide**. The police would have the evidence to believe Brian's claim about carbon monoxide. That claim is backed by evidence. The law clearly says anybody who compels somebody else to expose his or her genitals or naked body to commit an act of indecent exposure shall be guilty of a class 1 misdemeanor. **That means THE CHIMNEY SWEEP should be given a class one misdemeanor for being the sole cause of the carbon monoxide poisoning which led directly to hallucinations, psychosis, mental confusion, and other symptoms exhibited by Brian David Hill as evident on September 21, 2018**, according to the Federal and State court case records. I have the entire state case of Commonwealth v. Hill, I have full copies of his appeal records. I have copies thanks to Roberta Hill. I know with all the records in his criminal case that he exhibited a lot of carbon monoxide symptoms on record. CARBON MONOXIDE SYMPTOMS, prolonged exposure to gas can cause indecent exposure. Somebody with AUTISM being found NAKED, Autistic person found naked on a walking trail, not a public park, not around kids, but was found naked on a deserted walking trail because maybe one person saw him in a vehicle and called the police on him. ONE PERSON SAW HIM NAKED, AND NOBODY QUESTIONED WHY. Some police investigator didn't even know he was diabetic and never had any evidence of being medically cleared. That is called: "FRAUD", and it is "FRAUD". Brian was fraudulently charged and the police report had no evidence of carbon monoxide. That is a fraudulent police report. **All based on fraud. The Chimney Sweep must pay for what they have done to this innocent man. He has lost four years fighting this since his criminal charge in GENERAL DISTRICT COURT. The appeals will drag this case out for more years, over a damn misdemeanor.**

JUST CONVICT HIM, RUIN HIS LIFE, MAKE HIM PAY THOUSANDS OF DOLLARS TO MARTINSVILLE, DON'T INVESTIGATE ANYTHING, DON'T DO ANYTHING, DESTROY EVIDENCE, MOVE ON AND RUIN HIM FOR THE REST OF HIS LIFE. That is absolute bullshit. Brian should hold The Chimney Sweep accountable and all

of you should hold them accountable too.

Something is terribly wrong with this picture. I think his grandmother Stella may have something to say about all of this, maybe Brian's grandpa has something he wants to say here. They first thought Brian might wander away from home again and that was why he was not able to get out on bond. **Once Pete Compton came out in the court records, once his family were notified about the white residue and the carbon monoxide gas in the apartments, he was out on bond, his family trusted him to be back at his home.** Of course the corrupt Commonwealth Attorney Glen Andrew Hall made life difficult for him and tried to wreck his bond conditions by forcing him to live in his mother's apartment, but the evidence of carbon monoxide still exists and the police can still find the evidence in the chimney, the white residue, whatever is left. Somebody should be investigating this.

Start investigating THE CHIMNEY SWEEP first and see what evidence you find. Time to start arresting THE CHIMNEY SWEEP for being the cause of indecent exposure. Charge them with a CLASS 1 MISDEMEANOR. CHARGE THEM!!! I DARE YOU TO CHARGE THEM WITH CAUSE OF INDECENT EXPOSURE.

I rest my case,
Stanley Bolten
StanleyBolten@justiceforuswgo.nl

On 2022-06-10 13:21, ROBERTA HILL wrote:

> Aaron Ziglar,
>
> I apologize for not having the proof earlier for my son's complaint but yes $300 was paid by check to The Chimney Sweep on October 5, 2017. My bank account was at SunTrust bank in Martinsville before it was bought by First Horizon bank, now my bank account was merged with First Horizon. The check stub is the proof I paid for such service.
>
> This proves along with the testimony of Pete Compton of ACE Chimney service from Bassett that the carbon monoxide suffering of my son Brian David Hill and myself Roberta Hill had started since October 5, 2017. This caused prolonged exposure of carbon monoxide. The hot water heater below Apartment 2, my son's apartment, and radiator also below Apartment 2, which both used gas had nowhere to exhaust the gas had caused the carbon monoxide poisoning due to the metal tin. Improper or blocked ventilation. It may be criminal negligence. It can cause death and caused inappropriate behavior of my son. I was extremely tired during the carbon monoxide. My son has autism spectrum disorder and the carbon monoxide caused him to wander away from home (wandering) and being manipulated possibly by hallucinations to get naked on the Dick and Willie passage walking trail in Martinsville, VA on September 21st, 2018.
>
> Prolonged exposure to the carbon monoxide gas caused my son's indecent exposure criminal charge on September 21, 2018. Case number CR1900009-00. Please notify The Chimney Sweep by mail and email about this since I do not have their business email address. They need to agree to at least testify under affidavit and send us an affidavit about them placing the metal tin on our chimney flues connected to me and my son's apartments at 310 Forest Street which caused the carbon monoxide exposure, prolonged exposure. They need to admit to them

causing the problem and their negligence.

We have tried to file complaints with Franklin County code enforcement and Rocky Mount Code enforcement because as government they could investigate the possible code violations and verify our claims which would lead to my son's acquittal for indecent exposure due to intoxication by carbon monoxide, caused by The Chimney Sweep. That is a criminal defense of indecent exposure caused by intoxication due to chemical, gas, or substance. They refused to take any action as code enforcement because of a statute of limitations. But my son was wrongfully convicted of indecent exposure because The Chimney Sweep placed metal tin on top of the chimney flues causing improper blocked ventilation.

My son was thinking about filing an affidavit with the State Police about all this for criminal negligence because my son is not guilty of indecent exposure and wants The Chimney Sweep to at least respond and share the criminal liability for the charged indecent exposure on September 21, 2018. My son wants them charged like he was charged. They are responsible for his indecent exposure. The Chimney Sweep is directly the cause and should be held responsible too in the criminal justice system.

If they refuse to testify and give us an affidavit about what they did on October 5, 2017 placing the metal tin on top of the chimney flues then my son plans on going to the State Police to tell them why he was naked on September 21, 2018. The Chimney Sweep should be held culpable for what my son was charged with criminally.

We want them to fix what they did by admitting to what they did and explain what they did to Glen Andrew Hall, Esq, the corrupt Commonwealth Attorney.

We want resolution for their carbon monoxide poisoning which had caused my son's indecent exposure charge.

Kenneth and Stella Forinash also want The Chimney Sweep to at least admit to what they did for their negligence which caused Brian David Hill to be out naked at night miles away from home on September 21st 2018. It is clear as day the carbon monoxide caused my son's criminal charge. The Chimney Sweep needs to admit to what they had done or also be held responsible for what happened on September 21, 2018.

Thanks,
Roberta Hill

On 06/10/2022 10:54 AM Ziglar, Aaron M. <aziglar@oag.state.va.us> wrote:

Good morning Mr. Hill,

Thank you for authorizing the Virginia Attorney General's Office to assist in seeking a resolution to your complaint. This matter was referred to our Dispute Resolution Unit. Our unit utilizes neutral dispute resolution services such as facilitation, conciliation, and mediation at no cost to the participants. Through our services, consumer disputes can be resolved quickly and amicably without the time and expense of litigation. We have forwarded a copy of your complaint to the business but have yet to receive a response.

You should be aware that the dispute resolution process is not a legal process, we are not attorneys and cannot provide legal advice – thus, there is no final decision that our Office will make. Participation is voluntary – we cannot compel either party to respond, offer or accept the other party's offer of resolution. If a mutually agreeable resolution cannot be obtained we typically advise the complainant of other options available to pursue the complaint in court, at which point our Office is no longer involved.

Once we receive notice of agreement from the business to participate in the dispute resolution process, we ask that a written response is provided within ten (10) business days of the acknowledgment. All responses are shared with the consumer, and if there is a follow-up response from the consumer it is shared with the business as well.

This Office will retain the original complaint and copies of all official correspondence regarding the complaint in accordance with the applicable state retention schedule. Under the Virginia Freedom of Information Act, please be advised that these materials will be available to the public for review, upon request.

Please let me know if you have any questions about our process or can provide any additional information.

Sincerely,

Aaron M. Ziglar
Dispute Resolution Specialist
Office of the Attorney General
202 North 9th Street
Richmond, Virginia 23219
(804) 786-1244 Office
AZiglar@oag.state.va.us
http://www.ag.virginia.gov

-

From: ROBERTA HILL <rbhill67@comcast.net>
Sent: Monday, May 23, 2022 10:49 PM
To: Ziglar, Aaron M. <AZiglar@oag.state.va.us>; Coen, Chris <ccoen@oag.state.va.us>; Henderson, Deborah J. <DHenderson@oag.state.va.us>
Cc: Ken & Stella Forinash <kenstella@comcast.net>; Tracy Beanz <tracy@uncoverdc.com>; stanleybolten@justiceforuswgo.nl
Subject: Fwd: Tell Brian this is the receipt he wants. Let me know if you got it. (Re: 953850)
Importance: High

Aaron M. Ziglar,

Re: 953850 Mr. Brian D. Hill VS The Chimney Sweep

I have the evidence of the check receipt of money paid to The Chimney Sweep in 2017 for the services mentioned in my son's complaint. That is Brian David Hill.

check # 168 Oct. 5, 2017 $300.00. The Attorney General's Office and their investigators can even subpoena the bank for verification as it was SunTrust bank. We were forced into a new bank such as First Horizon Bank, so we no longer have access to older check records of my bank account.

You can let The Chimney Sweep know that we have the proof of payment for service. Service was rendered and proof of payment shall show this.

My son had also filed a complaint against the Hospital for refusing to complete the ordered laboratory tests. They would have found evidence of carbon monoxide at the time of his arrest for indecent exposure which would explain my son's indecent exposure behavior at nighttime on September 21, 2018. The Chimney Sweep and Sovah Health Martinsville memorial hospital are both at the heart of my son's wrongful criminal charge on September 21, 2018. Time for The Chimney Sweep to admit to the "metal tin" and time for them to make amends for my son's years of misery, imprisonment in both federal and state, and criminal case litigation nightmare and appeals nightmare. Clerks harassing him and being mean to him, judging him over his charge. **Somebody needs to pay for my son's wrongful conviction of indecent exposure in 2019. The jury needs to be convened and hear about the metal tin causing carbon monoxide. A new trial must be ordered in my son's criminal case.**

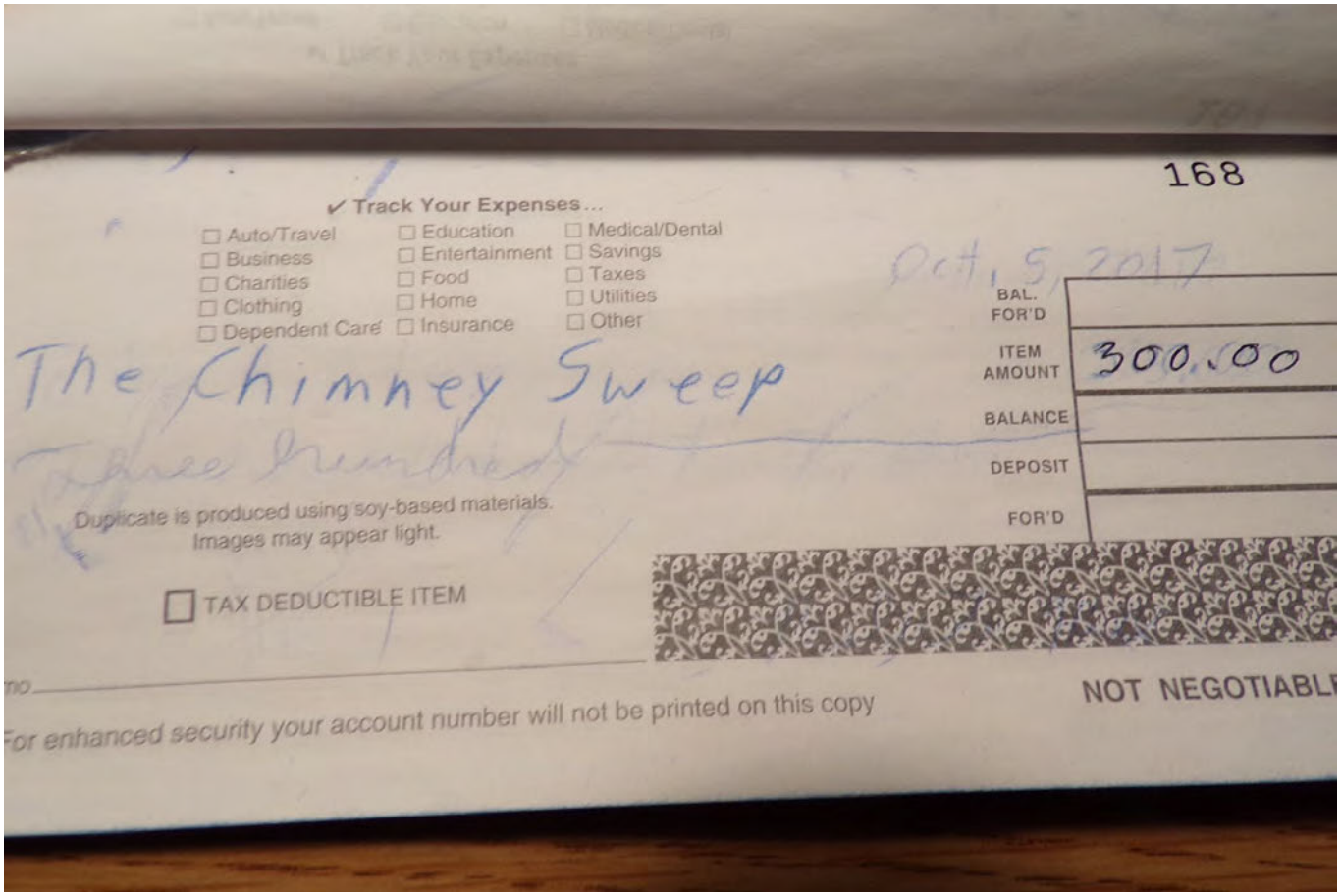
Thanks,
Roberta Hill

-------- Forwarded Message --------

Subject:Tell Brian this is the receipt he wants. Let me know if you got it.
Date:Mon, 23 May 2022 22:26:44 -0400 (EDT)
From:Ken & Stella Forinash <kenstella@comcast.net>
To:rbhill67@yahoo.com <rbhill67@yahoo.com>, Rbhill67@comcast.net <Rbhill67@comcast.net>, Ken & Stella Forinash <kenstella@comcast.net>

Roberta,

I also found some more things about the carbon monoxide that I will send for Brian. Just save all of these in one folder called "Carbon monoxide". Let me know if you got this. This was from check # 168 Oct. 5, 2017 $300.00


168
✓ Track Your Expenses...
Auto/Travel
Business
Charities
Clothing
Dependent Care
Education
Entertainment
Food
Home
Insurance
Medical/Dental
Savings
Taxes
Utilities
Other
Oct, 5, 2017
The Chimney Sweep
Three hundred
BAL. FOR'D
ITEM AMOUNT
300.00
BALANCE
DEPOSIT
FOR'D
Duplicate is produced using soy-based materials.
Images may appear light.
TAX DEDUCTIBLE ITEM
no
For enhanced security your account number will not be printed on this copy
NOT NEGOTIABL

3036

Subject: Read: Tell Brian this is the receipt he wants. Let me know if you got it. (Re: 953850)
From: "Ziglar, Aaron M." <AZiglar@oag.state.va.us>
Date: 6/14/2022, 8:07 AM
To: ROBERTA HILL <rbhill67@comcast.net>

Your message

To: Ziglar, Aaron M.
Subject: RE: Tell Brian this is the receipt he wants. Let me know if you got it. (Re: 953850)
Sent: Friday, June 10, 2022 1:21:19 PM (UTC-05:00) Eastern Time (US & Canada)

was read on Tuesday, June 14, 2022 8:06:34 AM (UTC-05:00) Eastern Time (US & Canada).

```
Final-recipient: RFC822; AZiglar@oag.state.va.us
Disposition: automatic-action/MDN-sent-automatically; displayed
X-MSExch-Correlation-Key: 9q7+MKTTZk2XBQsoz0YhpA==
X-Display-Name: Ziglar, Aaron M.
```

Subject: Fwd: Read: Tell Brian this is the receipt he wants. Let me know if you got it. (Re: 953850)
From: Stanley Bolten <stanleybolten@justiceforuswgo.nl>
Date: 6/14/2022, 5:02 PM
To: Rbhill67@comcast.net, Kenstella@comcast.net

-------- Original Message --------

Subject:Read: Tell Brian this is the receipt he wants. Let me know if you got it. (Re: 953850)
Date:2022-06-14 09:23
From:"Ziglar, Aaron M." <AZiglar@oag.state.va.us>
To:Stanley Bolten <stanleybolten@justiceforuswgo.nl>

Your message

To: Ziglar, Aaron M.
Subject: Re: Tell Brian this is the receipt he wants. Let me know if you got it. (Re: 953850)
Sent: Friday, June 10, 2022 9:46:03 PM (UTC-05:00) Eastern Time (US & Canada)

was read on Tuesday, June 14, 2022 9:23:10 AM (UTC-05:00) Eastern Time (US & Canada).

Final-recipient: RFC822; AZiglar@oag.state.va.us
Disposition: automatic-action/MDN-sent-automatically; displayed
X-MSExch-Correlation-Key: 7VzzE+AXBkGRJ7oDbVA6mw==
X-Display-Name: Ziglar, Aaron M.

Subject: Re: 953850 Mr. Brian D. Hill VS The Chimney Sweep
From: "Ziglar, Aaron M." <AZiglar@oag.state.va.us>
Date: 6/29/2022, 9:44 AM
To: "rbhill67@comcast.net" <rbhill67@comcast.net>

Dear Mr. Hill,
Thank you for authorizing the Virginia Attorney General's Office to assist in the resolution of your dispute. Our Office has received the below written response from the business to your complaint. Please review it carefully and, if you would like to provide a response, please do so in writing within ten (10) business days from the date of this email. In the event I fail to hear from you in writing within ten business days, the complaint will be closed and no further action will be taken.

This Office will retain the complaint form and copies of all official correspondence regarding the complaint in accordance with the applicable state retention schedule. Under the Virginia Freedom of Information Act, please be advised that these materials will be available to the public for review, upon request.

If you have any additional information or need further assistance, please feel free to contact me or respond to this message.

Sincerely,

Aaron M. Ziglar
Dispute Resolution Specialist
Office of the Attorney General
202 North 9th Street
Richmond, Virginia 23219
(804) 786-1244 Office
AZiglar@oag.state.va.us
http://www.ag.virginia.gov



From: Eric Ferguson <eferguson@fergusonlaw.net>
Sent: Tuesday, June 28, 2022 10:54 AM
To: Ziglar, Aaron M. <AZiglar@oag.state.va.us>
Subject: Re: 953850 Mr. Brian D. Hill VS The Chimney Sweep

Mr. Ziglar--Thanks for speaking with me yesterday and allowing me to submit this response in email format. I really appreciate your working with me and my client on submitting this response to the complaint of Mr. Hill.

My client is Jacody Cassell and he is the owner of The Chimney Sweep in Franklin County, VA. He has been the owner since 2016. His father had owned it from 1976 until 2016. Jacody has always worked for this company. His son works for him now and intends to take over the company one day.

The Chimney Sweep is a very reputable company and has had very few complaints made against them for their work. My client claims to have no knowledge of Brian D. Hill and Roberta Hill. My client has no records of ever providing an estimate for work to be done at the home of the Hills in Martinsville and he has no evidence of ever doing any work

for the Hills at a home in Martinsville. My client has no record of ever being paid to do any work for the Hills. More importantly, until May 17, 2022, when Mr. Hill filed this complaint, my clients were never told about any of these claims.

My client has never done any work for the Hills. They have never received any complaints from the HIlls. One would think that it would not take 3-5 years to make a complaint. Mr. Hill is seeking damages for payment of his legal expenses as a result of criminal charges in 2018.

Mr. Hill's complaint is baseless and he has no evidence to support it. He has offered no contract, no estimate, and no evidence of payment. He has nothing with which to back up his complaint. Even if he did, the statute of limitations for bodily injury is two years. The appropriate statutes regarding contracts are 3 years for verbal agreements and 5 years for written agreements. Since he has no written one, one must assume that if he had an agreement, it would be verbal and therefore beyond that statute of limitation as well.

On behalf of The Chimney Sweep, I ask that this complaint be dismissed. There is no evidence to support this claim.

Please advise of any next step. Thank you for your time and consideration.

Eric H. Ferguson, Esq.

RHODES & FERGUSON ATTORNEYS AT LAW

305 S. Main Street

Rocky Mount, VA 24151

540-483-5234 (phone)

540-483-5763 (fax)

eferguson@fergusonlaw.net

PLEASE NOTE NEW EMAIL ADDRESS

Subject: Re: 953850 Mr. Brian D. Hill VS The Chimney Sweep
From: ROBERTA HILL <rbhill67@comcast.net>
Date: 6/29/2022, 2:31 PM
To: "Ziglar, Aaron M." <AZiglar@oag.state.va.us>
CC: eferguson@fergusonlaw.net, Lin Wood <lwood@linwoodlaw.com>, Lin Wood <lwood@fightback.law>, "stanleybolten@justiceforuswgo.nl" <StanleyBolten@justiceforuswgo.nl>, Ken & Stella Forinash <kenstella@comcast.net>, "kenstella2005@comcast.net" <kenstella2005@comcast.net>, "ltgov@ltgov.virginia.gov" <ltgov@ltgov.virginia.gov>, "jacqueline.tran@ltgov.virginia.gov" <jacqueline.tran@ltgov.virginia.gov>, "julianne.condrey@ltgov.virginia.gov" <julianne.condrey@ltgov.virginia.gov>, "katelyn.jordan@ltgov.virginia.gov" <katelyn.jordan@ltgov.virginia.gov>

Aaron M. Ziglar,

Need an extension of time as I am requesting copies of my bank record from SunTrust/TRUIST bank as they would have the bank account record proving that a check was paid for to "The Chimney Sweep". It is having to be done by snail mail and FAX to a random TRUIST fax number hoping they will process this request quicker.

I am sending you both a copy of a request made to TRUIST bank asking for my bank account statement and records proving that $300 was paid in October, 2017 to The Chimney Sweep for their service. Why would I pay $300 to The Chimney Sweep on October 5, 2017 by check???

The transaction record will prove this. I ask that the Attorney General also subpoena and investigate for the financial records from my bank account at that time the check was given to The Chimney Sweep as payment, as it will prove the lawyer for The Chimney Sweep is lying. Under the Bank Secrecy Act, checks after being cleared must be retained on the record for at least five years. That was doing research on Google for how long banks have to keep financial records for things like investigations or other things.

So we have until October 5, 2022, or October 6, 2022 (whatever date that The Chimney Sweep cashed in my check) to request the record and get access to the record to prove that $300 was paid to The Chimney Sweep by check, from my own bank account when it was SunTrust before it was bought up by another bank, First Horizon Bank.

My son wants you to know why he took so long. He actually wanted to hold The Chimney Sweep accountable in 2019, faxed the Fire Marshals in 2019 and had somebody email one of the two county (Martinsville and/or Franklin County) of Fire Marshals but the Fire Marshals did nothing about Brian's request. He didn't know about this complaint process until this year. He did try to have The Chimney Sweep contacted by his friend emailing them but it was another Chimney Sweep business. We had tried a few things to try to prove that they started the carbon monoxide gas exposure, but Brian was busy trying to fight in federal court and state court. The Circuit Court in Martinsville is CORRUPT and has dragged his misdemeanor case for years, dragged it from 2018 to 2021 through the corrupt Court of Appeals. Brian tried to demonstrate that he was innocent of indecent exposure but the judge denies every motion and every appeal fails no matter what was argued. There is judicial corruption in Martinsville, that is why it has taken so long to fight. Brian shouldn't be suffering this long for a crime

he is innocent of, and that is a misdemeanor. The judge is corrupt, the Commonwealth Attorney is corrupt, and the court appointed lawyers are corrupt as well. It has taken so long fighting them all, that was why it has taken so long to complain about The Chimney Sweep. Brian kept fighting for a few years in the corrupt Court of Appeals of Virginia, in the corrupt Circuit Court over what The Chimney Sweep has caused. Brian kept fighting and got nowhere. Now this is his only option, because Brian is innocent and he wants the witnesses to come forth and admit that why he is suffering for a crime he didn't do, a crime which wasn't a crime under the circumstances of Carbon Monoxide gas and poisoning.

This lawyer should see the suffering Brian Hill had gone through for years over a misdemeanor because of the corrupt lawyers in Virginia. Brian shouldn't be having to go after The Chimney Sweep to prove his innocence but the courts are CORRUPT. The Judges are blackmailed. The problem is the corruption in the judicial system, we aren't doing this against The Chimney Sweep out of ill will intent, but because the Court is corrupt and refuses to accept Brian David Hill was under carbon monoxide poisoning and refuses to accept his innocence. My son is INNOCENT, HE IS INNOCENT, the court is corrupt and the lawyers are corrupt.

If The Chimney Sweep had no involvement with the metal tin being placed on the chimney causing carbon monoxide gas and damage to Brian's apartment and his suffering and poisoning and his wrongful conviction of indecent exposure, then what was $300 being paid to them for then???

Gotta ask The Chimney Sweep why they would fully deny any involvement or providing any service to the "Hills" while they were paid $300 on October 5, 2017 by check. That money doesn't just go to a business for nothing, does it???

My son didn't want to piss off the Chimney Sweep years ago and thought he could prove his innocence in another way. He is being denied every motion he files by the Dishonorable corrupt judge Giles Carter Greer of Martinsville and it's corrupt Circuit Court of hell and torment. Brian tried to do everything he could and kept failing, wait for about a year on his appeal then his court appointed lawyer filed nothing and then delayed appeal was granted. The appeal was dragged another year. It took that long for his criminal appeals. All fgailed because he has a corrupt court appointed lawyer Matthew Scott Thomas Clark and another corrupt lawyer is John Ira Jones, IV who had a conflict of interest because he represented the Commonwealth of Virginia prior to being a public pretender and then he betrayed Brian and wrecked his appeal by citing Anders v. California. So we been dealing with corrupt lawyers in Virginia. Nothing but corrupt lawyers telling Brian with withdraw his appeal, to just give up, begging him over and over again to give up, to give up.

Corrupt lawyers wanting Brian to stop fighting to prove his innocence of his state charge of indecent exposure. I am not surprised.

Martinsville Police could have investigated The Chimney Sweep and had the opportunity to do so in 2019 when Brian sent a letter to Martinsville Police (also filed with the U.S. District Court, Middle District of North Carolina) about The Chimney Sweep and about the carbon monoxide. Brian mailed letters with the Circuit Court about The Chimney Sweep and/or about the carbon monoxide gas in 2019, and corrupt Commonwealth Attorney Glen Andrew Hall ignored the carbon monoxide information, and ignored it all. Another government official was emailed in 2019 which spoke of The Chimney Sweep and nothing was done about it. They refused to investigate any of it. That is why it

has taken so long. We have a corrupt local Martinsville Police Department in Martinsville who protects drug dealers and protects drug houses, it's corrupt Police Chief G. E. Cassady. They do protect certain drug houses, we are aware of this to a certain extent, a police chief afraid that Brian being intoxicated on September 21, 2018, due to the carbon monoxide (but any lab tests or drug tests would not immediately say it was carbon monoxide, but would show abnormal levels if the tests were conducted) but the police would assume my son would have been intoxicated on drugs and would want that covered up. There are investigations which the State Police need to be making into the cover up of Hospital records, medical record pages with page numbers and some of them are missing from the medical records at Martinsville City Jail. Corrupt Sheriff of Martinsville, corrupt this, corrupt that. Now you understand why Brian filed a complaint against The Chimney Sweep. Martinsville is full of corruption and thuggery in it's government, outta call it Mafiaville instead of Martinsville.

Thanks,
Roberta Hill

On 6/29/2022 9:44 AM, Ziglar, Aaron M. wrote:

> Dear Mr. Hill,
>
> Thank you for authorizing the Virginia Attorney General's Office to assist in the resolution of your dispute. Our Office has received the below written response from the business to your complaint. Please review it carefully and, if you would like to provide a response, please do so in writing within ten (10) business days from the date of this email.
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> If you have any additional information or need further assistance, please feel free to contact me or respond to this message.
>
> Sincerely,
>
> **Aaron M. Ziglar**

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Office of the Attorney General
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http://www.ag.virginia.gov



-

From: Eric Ferguson <eferguson@fergusonlaw.net>
Sent: Tuesday, June 28, 2022 10:54 AM
To: Ziglar, Aaron M. <AZiglar@oag.state.va.us>
Subject: Re: 953850 Mr. Brian D. Hill VS The Chimney Sweep

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damages for payment of his legal expenses as a result of criminal charges in 2018.

Mr. Hill's complaint is baseless and he has no evidence to support it. He has offered no contract, no estimate, and no evidence of payment. He has nothing with which to back up his complaint. Even if he did, the statute of limitations for bodily injury is two years. The appropriate statutes regarding contracts are 3 years for verbal agreements and 5 years for written agreements. Since he has no written one, one must assume that if he had an agreement, it would be verbal and therefore beyond that statute of limitation as well.

On behalf of The Chimney Sweep, I ask that this complaint be dismissed. There is no evidence to support this claim.

Please advise of any next step. Thank you for your time and consideration.

Eric H. Ferguson, Esq.

RHODES & FERGUSON ATTORNEYS AT LAW

305 S. Main Street

Rocky Mount, VA 24151

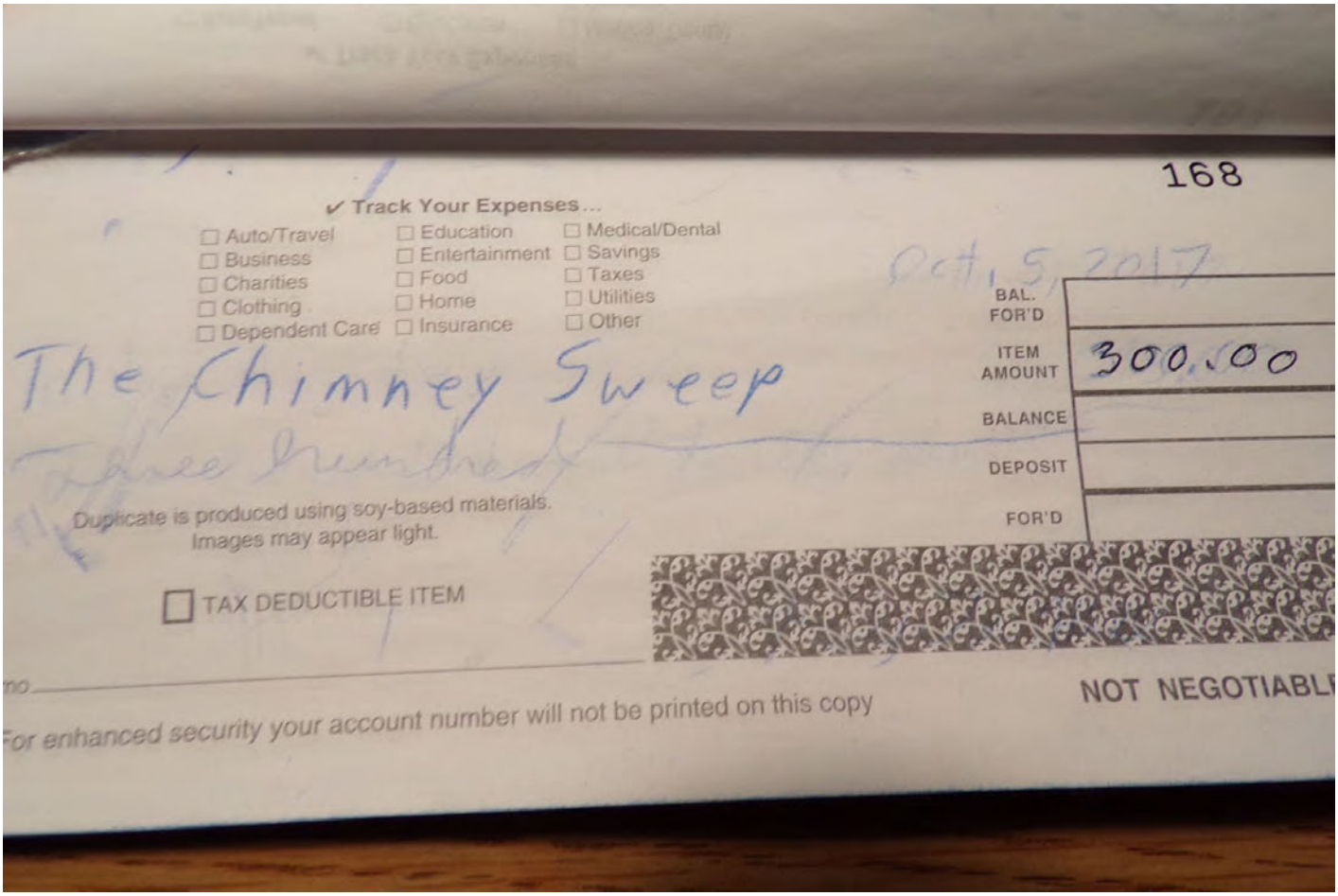
540-483-5234 (phone)

540-483-5763 (fax)

eferguson@fergusonlaw.net

PLEASE NOTE NEW EMAIL ADDRESS

Oct 5, 2017.jpg



Attachments:

Proof of mailing to TRUIST Bank requesting records-6-29-2022(2).pdf	1.6 MB
Oct 5, 2017.jpg	224 KB



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PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT OF THE RETURN ADDRESS, FOLD AT DOTTED LINE

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Sent To
Truist Bank ATTN: records request
Street and Apt. No., or PO Box No.
214 N. Tryon St.
City, State, ZIP+4®
Charlotte, NC 28202-1038

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

Roberta R. Hill
310 Forest St. Apt. 1
Martinsville, VA 24112

Truist Bank
ATTN: Records Request
214 N. Tryon St.
Charlotte, NC 28202-1038

REQUEST FOR TRANSACTION RECORD
FROM MY BANK ACCOUNT IN OCT., 2017

TO: SunTrust Bank / TRUIST
303 Peachtreet Street, Northeast
Atlanta, Georgia 30308
FAX: 1-847-676-5150

~~Attn: QWR/NOE/RFI - PO Box 26527~~
~~Richmond, VA 23261-6527~~

214 N. Tryon St., Charlotte, NC 28202-1038

June 29, 2022

To Whom it may Concern,

I am Roberta R. Hill. I had an account with SunTrust bank since 2013 until my bank in Martinsville was bought up by First Horizon Bank and account was migrated to First Horizon.

I would like to request a copy of my own bank account record of a transaction on October 5, 2017, to The Chimney Sweep and whether that money was taken out of my account. Between the dates October 4, 2017 (just to be safe) and October 10, 2017, or just the transaction records of paying $300 to The Chimney Sweep.

My Account Number was: 1000155990541. I am Roberta Ruth Hill.

My current address is below, my address prior to my current residence was 916 Chalmers Street, APT. B, Martinsville VA 24112-4939.

I can verify that I was the account owner at that time that I paid $300 to The Chimney Sweep. I would like to request my account transaction of when I paid by check on October 5, 2017 and when the money was transferred out of my bank account to pay the check that I signed and gave to The Chimney Sweep. I am attaching a photograph of the check stub.

Please give me a bank statement or transaction record proving that I paid $300 by check and when my check was processed where my money left my bank account in October, 2017.

Warm regards,
Roberta Hill

Roberta Ruth Hill
310 Forest Street, Apt. 1
Martinsville, Virginia 24112
(276) 790-3505

Roberta R. Hill
310 Forest St. Apt. 1
Martinsville, VA 24112

Truist Bank
ATTN: Records Request
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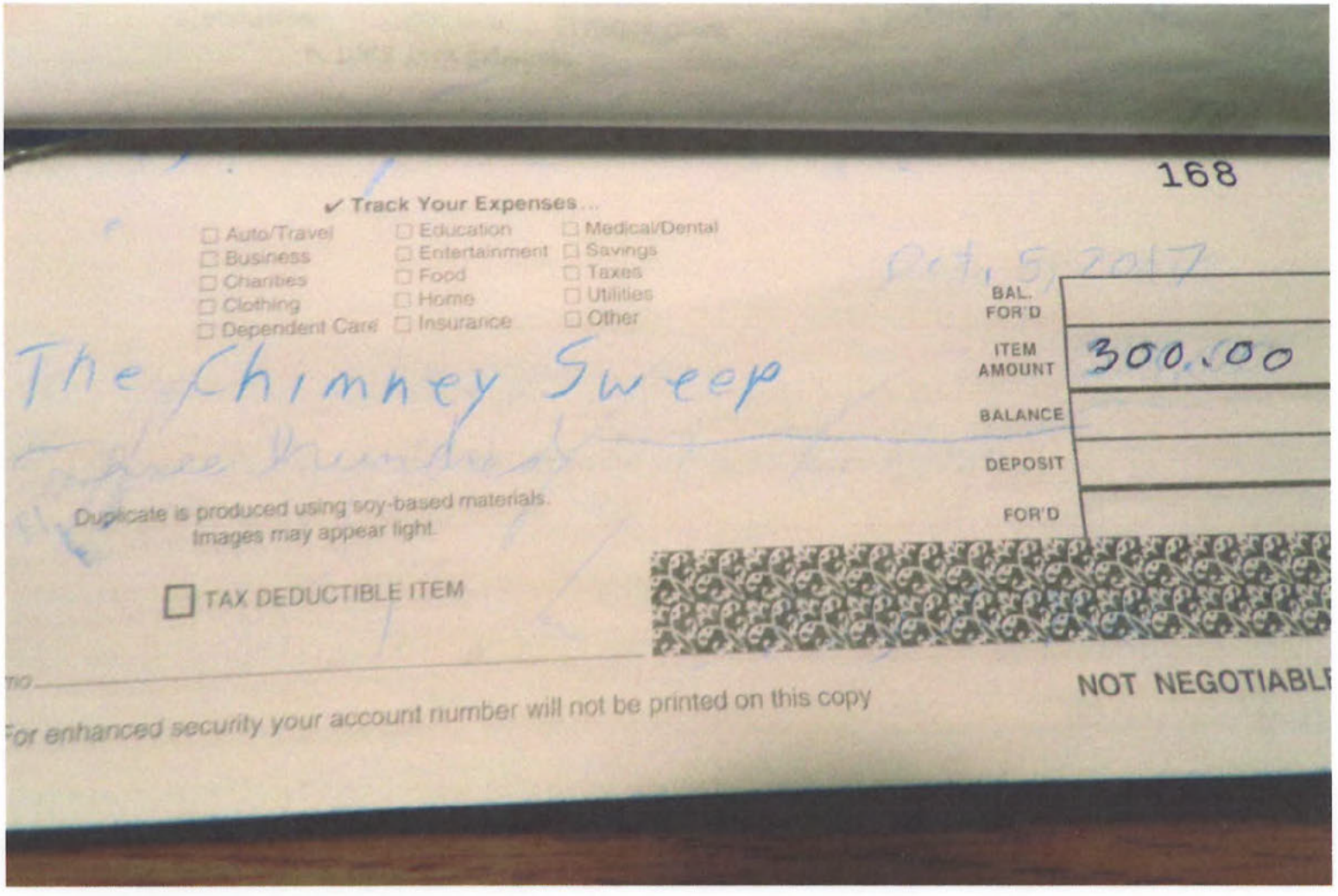
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Warm regards,
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Roberta Ruth Hill
310 Forest Street, Apt. 1
Martinsville, Virginia 24112
(276) 790-3505


168
✓ Track Your Expenses...
☐ Auto/Travel ☐ Education ☐ Medical/Dental
☐ Business ☐ Entertainment ☐ Savings
☐ Charities ☐ Food ☐ Taxes
☐ Clothing ☐ Home ☐ Utilities
☐ Dependent Care ☐ Insurance ☐ Other
Oct. 5, 2017
The Chimney Sweep
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Subject: Re: 953850 Mr. Brian D. Hill VS The Chimney Sweep
From: ROBERTA HILL <rbhill67@comcast.net>
Date: 6/29/2022, 3:36 PM
To: "Ziglar, Aaron M." <AZiglar@oag.state.va.us>
CC: eferguson@fergusonlaw.net, "stanleybolten@justiceforuswgo.nl" <StanleyBolten@justiceforuswgo.nl>, Ken & Stella Forinash <kenstella@comcast.net>, "kenstella2005@comcast.net" <kenstella2005@comcast.net>, "ltgov@ltgov.virginia.gov" <ltgov@ltgov.virginia.gov>, "jacqueline.tran@ltgov.virginia.gov" <jacqueline.tran@ltgov.virginia.gov>, "julianne.condrey@ltgov.virginia.gov" <julianne.condrey@ltgov.virginia.gov>, "katelyn.jordan@ltgov.virginia.gov" <katelyn.jordan@ltgov.virginia.gov>, Lin Wood <lwood@linwoodlaw.com>, Lin Wood <lwood@fightback.law>

Aaron Ziglar,

The address was not the correct address for inquiries made to SunTrust bank for the records. I have corrected it before mailing this out. The fax is also being sent and hopefully will hear back from them within the time period needed for their response.

The mailing will be sent out now that the address has been corrected for my request for bank account records.

SunTrust Mailing Addresses

For General Inquiries/Research Request
SunTrust Bank
Mail Code RVW 3003
PO Box 26149
Richmond, VA 23260-6149

The certified mailing will be sent here to the address above to get this request started.

Lin Wood is also in the email recipients because he had been under countless deep state attacks and assaults on him, his character, and his career. It seems like my son Brian D. Hill is going under the same pattern of being lied about, attacked, lawyers lying about my son, lawyers destroying evidence to convict my son, motions always denied, appeals always fail. It is judicial corruption why my son was convicted. Convicted for running USWGO Alternative News (my son's crime was running his political website in 2012: https://web.archive.org/web/20120815003417/http://uswgo.com/) and he had interviewed former Congressman Virgil H. Goode of Virginia months before my son was set up for pissing off the police chief of Mayodan.

I want to make it clear to this lawyer for The Chimney Sweep that my son has been lied about for years, attacked for years, hacker attacked from 2009 to 2012 when he got set up. The indecent exposure is just another corrupt judicial decision of going after somebody who was exposed to Carbon Monoxide gas for almost a year, from October, 2017, until he left the home at around midnight on September 20, 2018, and was arrested around 3-4AM on September 21, 2018. I believe my son was intoxicated with carbon monoxide poisoning on the night he was found naked. He has not

been doing this behavior prior to that. This behavior happened because my son wasn't right in the head at that time, and Carbon Monoxide is a very good reason why this happened. Carbon Monoxide on an autistic person can cause indecent exposure. There are news stories of autistic children found naked in public places at night where others could be present. Theoretically, people who sniffed bath salts can run around naked outside. Carbon Monoxide gas can become like a drug, it can mess with the brain and can cause hallucinations, and can be fatal if the level is high enough. My son got injured in November, 2017 and went to the Emergency Room. A month after the check was paid to The Chimney Sweep.

The medical records in November, 2017, saw he hit his head, I and the first responders saw the blood on the pillow and they took a photo of my son's head wound, he assumed it was an insulin reaction but I witnessed the area of the blood drops where he somehow walked himself back to his bed while blood was dripping from his head. Part of his desk in his office fell, the smaller drawer under the desk had been broken because my son fell face forward at the desk and had that gash with blood coming out. So he fainted and then somehow while unconsciousness got back to his bed with blood coming out of the gash in his head. This was a month after the check was paid to The Chimney Sweep. They found Sinus Tachycardia, abnormal levels in his blood. All of that can come from, YOU GUESS IT, CARBON MONOXIDE POISONING. Sinus Tachycardia is a carbon monoxide symptom, abnormal blood levels. None of this happened prior to paying The Chimney Sweep the $300 for their work.

What was the $300 for then lawyer???

What was the $300 for to fix the chimney swifts coming into the chimney lawyer???

Thanks,
Roberta Hill

On 6/29/2022 2:31 PM, ROBERTA HILL wrote:

> Aaron M. Ziglar,
>
> Need an extension of time as I am requesting copies of my bank record from SunTrust/TRUIST bank as they would have the bank account record proving that a check was paid for to "The Chimney Sweep". It is having to be done by snail mail and FAX to a random TRUIST fax number hoping they will process this request quicker.
>
> I am sending you both a copy of a request made to TRUIST bank asking for my bank account statement and records proving that $300 was paid in October, 2017 to The Chimney Sweep for their service. Why would I pay $300 to The Chimney Sweep on October 5, 2017 by check???
>
> The transaction record will prove this. I ask that the Attorney General also subpoena and investigate for the financial records from my bank account at that time the check was given to The Chimney Sweep as payment, as it will prove the lawyer for The Chimney Sweep is lying. Under the Bank Secrecy Act, checks after being cleared must be retained on the record for at least five years. That was doing research on Google for how long banks have to keep financial records for things like investigations or other things.

So we have until October 5, 2022, or October 6, 2022 (whatever date that The Chimney Sweep cashed in my check) to request the record and get access to the record to prove that $300 was paid to The Chimney Sweep by check, from my own bank account when it was SunTrust before it was bought up by another bank, First Horizon Bank.

My son wants you to know why he took so long. He actually wanted to hold The Chimney Sweep accountable in 2019, faxed the Fire Marshals in 2019 and had somebody email one of the two county (Martinsville and/or Franklin County) of Fire Marshals but the Fire Marshals did nothing about Brian's request. He didn't know about this complaint process until this year. He did try to have The Chimney Sweep contacted by his friend emailing them but it was another Chimney Sweep business. We had tried a few things to try to prove that they started the carbon monoxide gas exposure, but Brian was busy trying to fight in federal court and state court. The Circuit Court in Martinsville is CORRUPT and has dragged his misdemeanor case for years, dragged it from 2018 to 2021 through the corrupt Court of Appeals. Brian tried to demonstrate that he was innocent of indecent exposure but the judge denies every motion and every appeal fails no matter what was argued. There is judicial corruption in Martinsville, that is why it has taken so long to fight. Brian shouldn't be suffering this long for a crime he is innocent of, and that is a misdemeanor. The judge is corrupt, the Commonwealth Attorney is corrupt, and the court appointed lawyers are corrupt as well. It has taken so long fighting them all, that was why it has taken so long to complain about The Chimney Sweep. Brian kept fighting for a few years in the corrupt Court of Appeals of Virginia, in the corrupt Circuit Court over what The Chimney Sweep has caused. Brian kept fighting and got nowhere. Now this is his only option, because Brian is innocent and he wants the witnesses to come forth and admit that why he is suffering for a crime he didn't do, a crime which wasn't a crime under the circumstances of Carbon Monoxide gas and poisoning.

This lawyer should see the suffering Brian Hill had gone through for years over a misdemeanor because of the corrupt lawyers in Virginia. Brian shouldn't be having to go after The Chimney Sweep to prove his innocence but the courts are CORRUPT. The Judges are blackmailed. The problem is the corruption in the judicial system, we aren't doing this against The Chimney Sweep out of ill will intent, but because the Court is corrupt and refuses to accept Brian David Hill was under carbon monoxide poisoning and refuses to accept his innocence. My son is INNOCENT, HE IS INNOCENT, the court is corrupt and the lawyers are corrupt.

If The Chimney Sweep had no involvement with the metal tin being placed on the chimney causing carbon monoxide gas and damage to Brian's apartment and his suffering and poisoning and his wrongful conviction of indecent exposure, then what was $300 being paid to them for then???

Gotta ask The Chimney Sweep why they would fully deny any involvement or providing any service to the "Hills" while they were paid $300 on October 5, 2017 by check. That money doesn't just go to a business for nothing, does it???

My son didn't want to piss off the Chimney Sweep years ago and thought he could prove his innocence in another way. He is being denied every motion he files by the Dishonorable corrupt judge Giles Carter Greer of Martinsville and it's corrupt Circuit Court of hell and torment. Brian tried to do everything he could and kept failing, wait for about a year on his appeal then his court appointed lawyer filed nothing and then delayed appeal was granted. The appeal was dragged another year. It took that long for his criminal appeals. All fgailed because he has a corrupt court

appointed lawyer Matthew Scott Thomas Clark and another corrupt lawyer is John Ira Jones, IV who had a conflict of interest because he represented the Commonwealth of Virginia prior to being a public pretender and then he betrayed Brian and wrecked his appeal by citing Anders v. California. So we been dealing with corrupt lawyers in Virginia. Nothing but corrupt lawyers telling Brian with withdraw his appeal, to just give up, begging him over and over again to give up, to give up.

Corrupt lawyers wanting Brian to stop fighting to prove his innocence of his state charge of indecent exposure. I am not surprised.

Martinsville Police could have investigated The Chimney Sweep and had the opportunity to do so in 2019 when Brian sent a letter to Martinsville Police (also filed with the U.S. District Court, Middle District of North Carolina) about The Chimney Sweep and about the carbon monoxide. Brian mailed letters with the Circuit Court about The Chimney Sweep and/or about the carbon monoxide gas in 2019, and corrupt Commonwealth Attorney Glen Andrew Hall ignored the carbon monoxide information, and ignored it all. Another government official was emailed in 2019 which spoke of The Chimney Sweep and nothing was done about it. They refused to investigate any of it. That is why it has taken so long. We have a corrupt local Martinsville Police Department in Martinsville who protects drug dealers and protects drug houses, it's corrupt Police Chief G. E. Cassady. They do protect certain drug houses, we are aware of this to a certain extent, a police chief afraid that Brian being intoxicated on September 21, 2018, due to the carbon monoxide (but any lab tests or drug tests would not immediately say it was carbon monoxide, but would show abnormal levels if the tests were conducted) but the police would assume my son would have been intoxicated on drugs and would want that covered up. There are investigations which the State Police need to be making into the cover up of Hospital records, medical record pages with page numbers and some of them are missing from the medical records at Martinsville City Jail. Corrupt Sheriff of Martinsville, corrupt this, corrupt that. Now you understand why Brian filed a complaint against The Chimney Sweep. Martinsville is full of corruption and thuggery in it's government, outta call it Mafiaville instead of Martinsville.

Thanks,
Roberta Hill

On 6/29/2022 9:44 AM, Ziglar, Aaron M. wrote:

> Dear Mr. Hill,
>
> Thank you for authorizing the Virginia Attorney General's Office to assist in the resolution of your dispute. Our Office has received the below written response from the business to your complaint. Please review it carefully and, if you would like to provide a response, please do so in writing within ten (10) business days from the date of this email.
>
> In the event I fail to hear from you in writing within ten business days, the complaint will be closed and no further action will be taken.

This Office will retain the complaint form and copies of all official correspondence regarding the complaint in accordance with the applicable state retention schedule. Under the Virginia Freedom of Information Act, please be advised that these materials will be available to the public for review, upon request.

If you have any additional information or need further assistance, please feel free to contact me or respond to this message.

Sincerely,

Aaron M. Ziglar
Dispute Resolution Specialist
Office of the Attorney General
202 North 9th Street
Richmond, Virginia 23219
(804) 786-1244 Office
AZiglar@oag.state.va.us
http://www.ag.virginia.gov



-

From: Eric Ferguson <eferguson@fergusonlaw.net>
Sent: Tuesday, June 28, 2022 10:54 AM
To: Ziglar, Aaron M. <AZiglar@oag.state.va.us>
Subject: Re: 953850 Mr. Brian D. Hill VS The Chimney Sweep

Mr. Ziglar--Thanks for speaking with me yesterday and allowing me to submit this response in email format. I really appreciate your working with me and my client on submitting this response to the complaint of Mr. Hill.

My client is Jacody Cassell and he is the owner of The Chimney Sweep in Franklin County, VA. He

has been the owner since 2016. His father had owned it from 1976 until 2016. Jacody has always worked for this company. His son works for him now and intends to take over the company one day.

The Chimney Sweep is a very reputable company and has had very few complaints made against them for their work. My client claims to have no knowledge of Brian D. Hill and Roberta Hill. My client has no records of ever providing an estimate for work to be done at the home of the Hills in Martinsville and he has no evidence of ever doing any work for the Hills at a home in Martinsville. My client has no record of ever being paid to do any work for the Hills. More importantly, until May 17, 2022, when Mr. Hill filed this complaint, my clients were never told about any of these claims.

My client has never done any work for the Hills. They have never received any complaints from the HIlls. One would think that it would not take 3-5 years to make a complaint. Mr. Hill is seeking damages for payment of his legal expenses as a result of criminal charges in 2018.

Mr. Hill's complaint is baseless and he has no evidence to support it. He has offered no contract, no estimate, and no evidence of payment. He has nothing with which to back up his complaint. Even if he did, the statute of limitations for bodily injury is two years. The appropriate statutes regarding contracts are 3 years for verbal agreements and 5 years for written agreements. Since he has no written one, one must assume that if he had an agreement, it would be verbal and therefore beyond that statute of limitation as well.

On behalf of The Chimney Sweep, I ask that this complaint be dismissed. There is no evidence to support this claim.

Please advise of any next step. Thank you for your time and consideration.

Eric H. Ferguson, Esq.

RHODES & FERGUSON ATTORNEYS AT LAW

305 S. Main Street

Rocky Mount, VA 24151

540-483-5234 (phone)

540-483-5763 (fax)

eferguson@fergusonlaw.net

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ECG.png



WBC & MPV in carbon monoxide poisoning.jpg

Toxicology http://dx.doi.org/10.1016/j.joad.2015.06.009

Detection of neutrophil–lymphocyte ratio as a serum marker associated with inflammations by acute carbon monoxide poisoning

Mustafa Karabacak[1], Kenan Ahmet Turkdogan[2*], Abuzer Coskun[3], Orhan Akpinar[4], Ali Duman[5], Mücahit Kapci[2], Sevki Hakan Eren[3], Pınar Karabacak[5]

[1]Isparta State Hospital, Department of Cardiology, Isparta, Turkey

[2]Adnan Menderes University, Department of Emergency Medicine, Aydin, Turkey

[3]Cumhuriyet University, Department of Emergency Medicine, Sivas, Turkey

[4]Suleyman Demirel University, Department of Microbiology, Faculty of Dentistry, Isparta, Turkey

[5]Suleyman Demirel University, Department of Anesthesia and Reanimation, Medical Faculty, Isparta, Turkey

$P = 0.04$) were higher in CO poisoning group (Table 2). Moreover, MPV level was significantly higher in CO group (8.6 ± 1.4 *vs.* 8.0 ± 0.7, respectively; $P < 0.01$).

The markers associated with inflammations; white blood cell (WBC) level (9.8 ± 3.3 *vs.* $8.6 \pm 2.9 \times 10^3$/mL, respectively; $P = 0.01$) and neutrophil count (6.00 ± 2.29 *vs.* $4.43 \pm 2.04 \times 10^3$/mL, respectively; $P < 0.01$) were significantly higher in CO poisoning group than control group. Moreover,

PATIENT: HILL,BRIAN D
REG DR: EKUBAN-GORDON,EDNA MD

ACCT #: MM7805836274 **LOC:** MM.ER **U #:** MM00370912
AGE/SX: 27/M **ROOM:** **REG:** 11/19/17
DOB: 05/26/90 **BED:** **DIS:**
STATUS: DEP ER **TLOC:**

**********POINT OF CARE**********

Date / Time	11/19/17 1006		11/19/17 0943		Reference	Units
POC GLU	429	H	435	H	(65-100)	MG/DL

**********HEMATOLOGY**********

Date / Time	11/19/17 1007		Reference	Units
WBC	11.6	H	(4.5-11.0)	K/UL
RBC	5.32		(4.50-5.90)	M/UL
HGB	15.8		(14.0-17.5)	G/DL
HCT	46.0		(35.0-49.0)	%
MCV	86.5		(80-96)	UM3
MCH	29.7		(27-32)	PG
MCHC	34.3		(32-37)	G/DL
RDW	13.1		(11.5-14.5)	%
RDW-SD	41.1		(35.1-43.9)	fl
PLT	241		(140-440)	K/UL
MPV	10.8	H	(7.4-10.4)	fl

MPV & Carbon Monoxide poisoning 1.jpg

PATIENT: HILL,BRIAN D
REG DR: EKUBAN-GORDON,EDNA MD

ACCT #: MM7805836274 **LOC:** MM.ER **U #:** MM00370912
AGE/SX: 27/M **ROOM:** **REG:** 11/19/17
DOB: 05/26/90 **BED:** **DIS:**
STATUS: DEP ER **TLOC:**

**********POINT OF CARE**********

Date / Time	11/19/17 1006		11/19/17 0943		Reference	Units
POC GLU	429	H	435	H	(65-100)	MG/DL

**********HEMATOLOGY**********

Date / Time	11/19/17 1007		Reference	Units
WBC	11.6	H	(4.5-11.0)	K/UL
RBC	5.32		(4.50-5.90)	M/UL
HGB	15.8		(14.0-17.5)	G/DL
HCT	46.0		(35.0-49.0)	%
MCV	86.5		(80-96)	UM3
MCH	29.7		(27-32)	PG
MCHC	34.3		(32-37)	G/DL
RDW	13.1		(11.5-14.5)	%
RDW-SD	41.1		(35.1-43.9)	fl
PLT	241		(140-440)	K/UL
MPV	10.8	H	(7.4-10.4)	fl
SEGS %	84	H	(37-80)	%
SEG ABSOLUTE	9.77	H	(1.5-6.8)	K/UL
LYMPH %	10		(10-50)	%
LYMPH ABSOLUTE	1.10		(1.0-4.0)	K/UL

PubMed - NCBI Yellow marked.pdf - Adobe Acrobat Reader DC

Mean platelet volu...

Mean platelet volume in patients with carbon monoxide poisoning.

Author information

Abstract

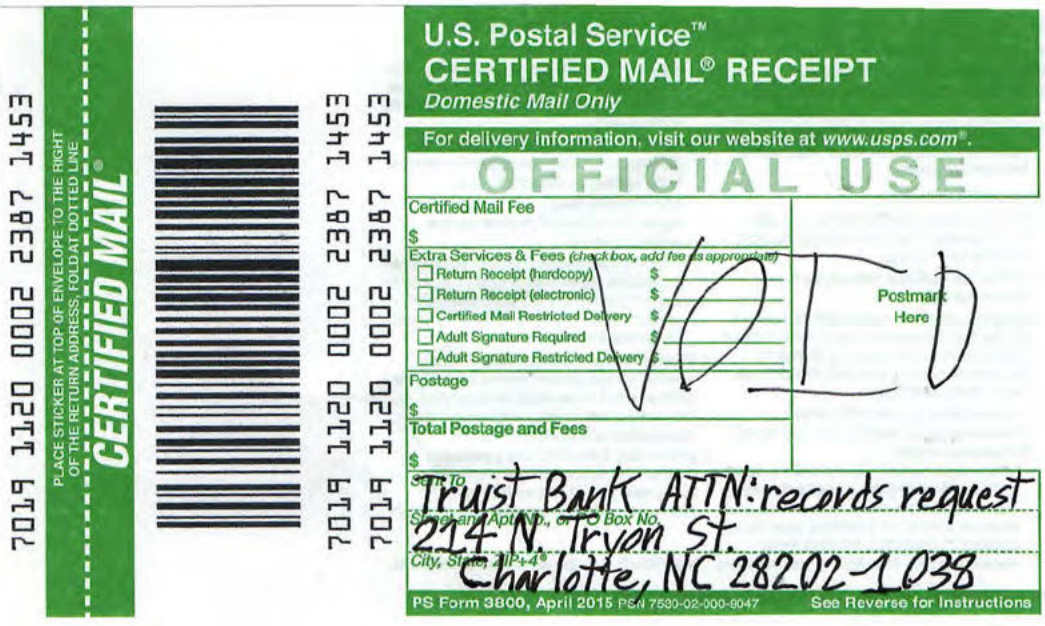
Carbon monoxide (CO) poisoning is frequent and can lead to high morbidity and mortality. Some studies have indicated increased platelet activation and aggregation in CO poisoning. Thus, we investigated mean platelet volume (MPV), an indicator of platelet activation, in patients with CO poisoning. We included 193 (117 women) patients who presented with a diagnosis of CO poisoning between June 2011 and March 2013. Control group was composed of 30 (15 women) patients. Troponin and creatine kinase MB levels were significantly higher in the CO poisoning group. Platelet counts were significantly higher in patients with CO poisoning (261 ± 76 vs 248 ± 65 × 10(3), respectively; P = .01). Similarly, MPV was significantly higher in the CO poisoning group (8.9 ± 0.9 vs 7.9 ± 0.9 fL, respectively; P < .001). Elevated MPV values may indicate that patients with CO poisoning have a higher risk of thromboembolic and cardiovascular complications due to platelet activation.

Attachments:

USWGO_20220629_150558(OCR).pdf	739 KB
ECG.png	1.0 MB
WBC & MPV in carbon monoxide poisoning.jpg	477 KB

3060

MPV & Carbon Monoxide poisoning 1.jpg 393 KB



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Total Postage and Fees
$

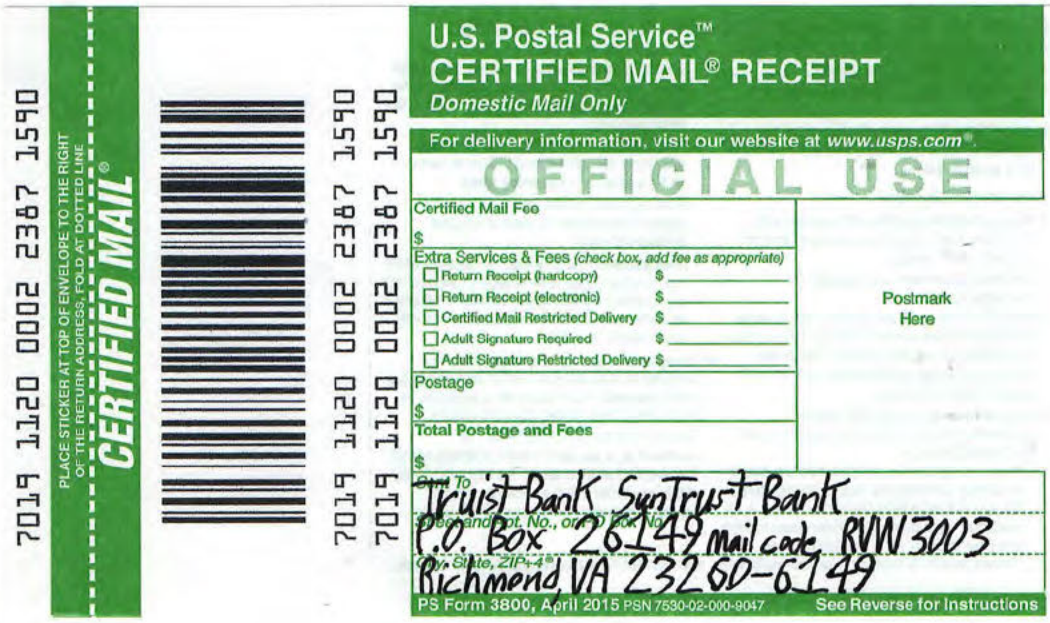
Postmark Here

VOID

Sent To
Truist Bank ATTN: records request
Street and Apt. No., or PO Box No.
214 N. Tryon St.
City, State, ZIP+4®
Charlotte, NC 28202-1038

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

3062


7019 1120 0002 2387 1590
PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT OF THE RETURN ADDRESS, FOLD AT DOTTED LINE
CERTIFIED MAIL®
7019 1120 0002 2387 1590
7019 1120 0002 2387 1590
U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only
For delivery information, visit our website at www.usps.com®.
OFFICIAL USE
Certified Mail Fee
$
Extra Services & Fees (check box, add fee as appropriate)
Return Receipt (hardcopy) $
Return Receipt (electronic) $
Certified Mail Restricted Delivery $
Adult Signature Required $
Adult Signature Restricted Delivery $
Postage
$
Total Postage and Fees
$
Postmark Here
Sent To
Truist Bank SunTrust Bank
Street and Apt. No., or PO Box No.
P.O. Box 26149 mail code RVW3003
City, State, ZIP+4®
Richmond, VA 23260-6149
PS Form 3800, April 2015 PSN 7530-02-000-9047
See Reverse for Instructions

Roberta R. Hill
310 Forest St. Apt. 1
Martinsville, VA 24112

Truist Bank
ATTN: Records Request

SunTrust Bank
Mail Code RVW 3003
PO Box 26149
Richmond, VA 23260-6149

[redacted]

3064

Subject: - Re: 953850 Mr. Brian D. Hill VS The Chimney Sweep
From: Stanley Bolten <stanleybolten@justiceforuswgo.nl>
Date: 7/1/2022, 3:22 AM
To: ROBERTA HILL <rbhill67@comcast.net>
CC: "Ziglar, Aaron M." <AZiglar@oag.state.va.us>, eferguson@fergusonlaw.net, Lin Wood <lwood@linwoodlaw.com>, Lin Wood <lwood@fightback.law>, Ken & Stella Forinash <kenstella@comcast.net>, kenstella2005@comcast.net, ltgov@ltgov.virginia.gov, jacqueline.tran@ltgov.virginia.gov, julianne.condrey@ltgov.virginia.gov, katelyn.jordan@ltgov.virginia.gov

Some corrupt lawyer from Rocky Mount or god knows whereever he is, I am not surprised. I will have QAnons investigate into this. See why this is happening.

Many are watching Brian's criminal case and know that Brian is being held hostage by the system, a corrupt judicial system who needs an excuse to keep imprisoning this innocent man over and over again, giving him more criminal records to destroy his reputation so that he can never have his news organization ever come back from the dead. Being held hostage by Corrupt compromised individuals involved with SEX and DRUGS. Drug dealers in Martinsville, pedophile rings of the Globalists, Jeffrey Epstein, Bill Clinton. Brian is being held hostage by a bunch of criminals in positions of lawyers, judges, politicians.

Whoever lies about Brian will be defeated. They are liars. They will not win in the Kingdom of Christ, in the Kingdom of God, damn them all to hell as to those who want to keep hurting Brian Hill with lies and false imprisonments and false charges and destroying evidence.

The Chimney Sweep are not very Christian, they aren't Christians at all. **Real Christians would take responsibility for what they have done. Accept responsibility for what you have done to Brian Hill and his mother Roberta Hill** This corrupt lawyer don't follow Jesus Christ either, they aren't a true follower and isn't in their hearts.

I CHALLENGE YOU IN THE NAME OF JESUS, MR. FERGUSON, I challenge you to tell the truth. I challenge The Chimney Sweep to tell the truth. Brian still has followers from the remaining alternative media allies like used to be Infowars; along with We Are Change and ActivistPost despite being framed with a crime he did not commit. Despite the corrupt judicial system, Brian still has followers. **Brian will defeat all of you who dare to ruin his life. This corrupt lawyer wants Brian ruined as well, wants Brian to just accept his guilt over a crime he has three elements of innocence and not ever investigate why he is innocent of indecent exposure.**

Brian David Hill = Innocence. STAY OUT OF OUR WAY ERIC FERGUSON, BRIAN IS INNOCENT OF INDECENT EXPOSURE AND YOU WILL NOT STAND IN THE WAY OF BRIAN BEING ACQUITTED OTHERWISE YOUR OF THE BEAST SYSTEM, THE ANTICHRIST SYSTEM. LAWYERS THESE DAYS FOLLOW

SATAN. THEY DON'T WANT BRIAN HILL ACQUITTED. Qanon was right, the judicial system is blackmailed and compromised. LIN WOOD was right, QANON followers are correct, Judges are raping children or protecting drug cartels and are being blackmailed with it. Judges are being blackmailed with whatever crime is on the books. Judges are arrested if they don't do what they are told. They are puppets, they are not true judges anymore, they are not just.

MOVE OUT OF OUR WAY ERIC FERGUSON, BRIAN HILL IS FACTUALLY INNOCENT OF INDECENT EXPOSURE. The evidence is in his court case filings. We have the case filings, it is public record, Brian Hill is innocent.

I READ BRIAN'S FEDERAL COURT CASE FILES. BRIAN CLEARLY WASN'T IN HIS RIGHT MIND ON THE DAY OF HIS ARREST. **IF HE WAS TRULY INTOXICATED THAT NIGHT, THAT MAKES SENSE WHY HE WAS FOUND NAKED. YOU CAN'T COVER UP THE TRUTH ERIC!!!!!!!!!!!!!!!**

HIS STATE CASE FILES ARE PUBLIC WITH REDACTION OF SOCIAL SECURITY NUMBERS and redaction of other personal information. BRIAN IS INNOCENT, ERIC FERGUSON.

https://justiceforuswgo.wordpress.com/2019/07/27/breaking-more-evidence-that-uswgo-news-reporter-brian-d-hill-was-under-carbon-monoxide-poisoning/ - Read this Eric Ferguson, we suspected Carbon Monoxide right after January, 2019.

https://justiceforuswgo.wordpress.com/2019/07/09/breaking-brian-d-hill-of-uswgo-news-was-under-carbon-monoxide-since-november-2017/ - BREAKING: Brian D. Hill of USWGO news was under carbon monoxide since November, 2017 – Justice for Brian D. Hill of USWGO Alternative News

https://justiceforuswgo.files.wordpress.com/2019/07/hospital-records-nov.-2017.pdf - Read these records Eric Ferguson. Does this seem normal for a man to have a diabetic fall in November 2017 but got back up with blood dripping out of the laceration of his forehead???? Is it normal Eric Ferguson for Brian to have Sinus Tachycardia a month after the money check was paid to what she written on the check as "The Chimney Sweep" on October 5, 2017??? Is it normal if Brian just had an insulin reaction to have abnormal White Blood Cell COUNT when he wasn't even sick and had no symptoms of a cold???? Brian was under Carbon Monoxide symptoms. There is enough evidence to prove that, Eric Ferguson.

I will have Qanons look and see if they can also have the White Hats in the government to investigate the $300 paid to "THE CHIMNEY SWEEP" on October 5, 2017. We will dig up everything, we will dig up whatever we can. Once the evidence is in, it will be made available to Brian's family, we will not allow this disgrace to continue against Brian Hill and his family.

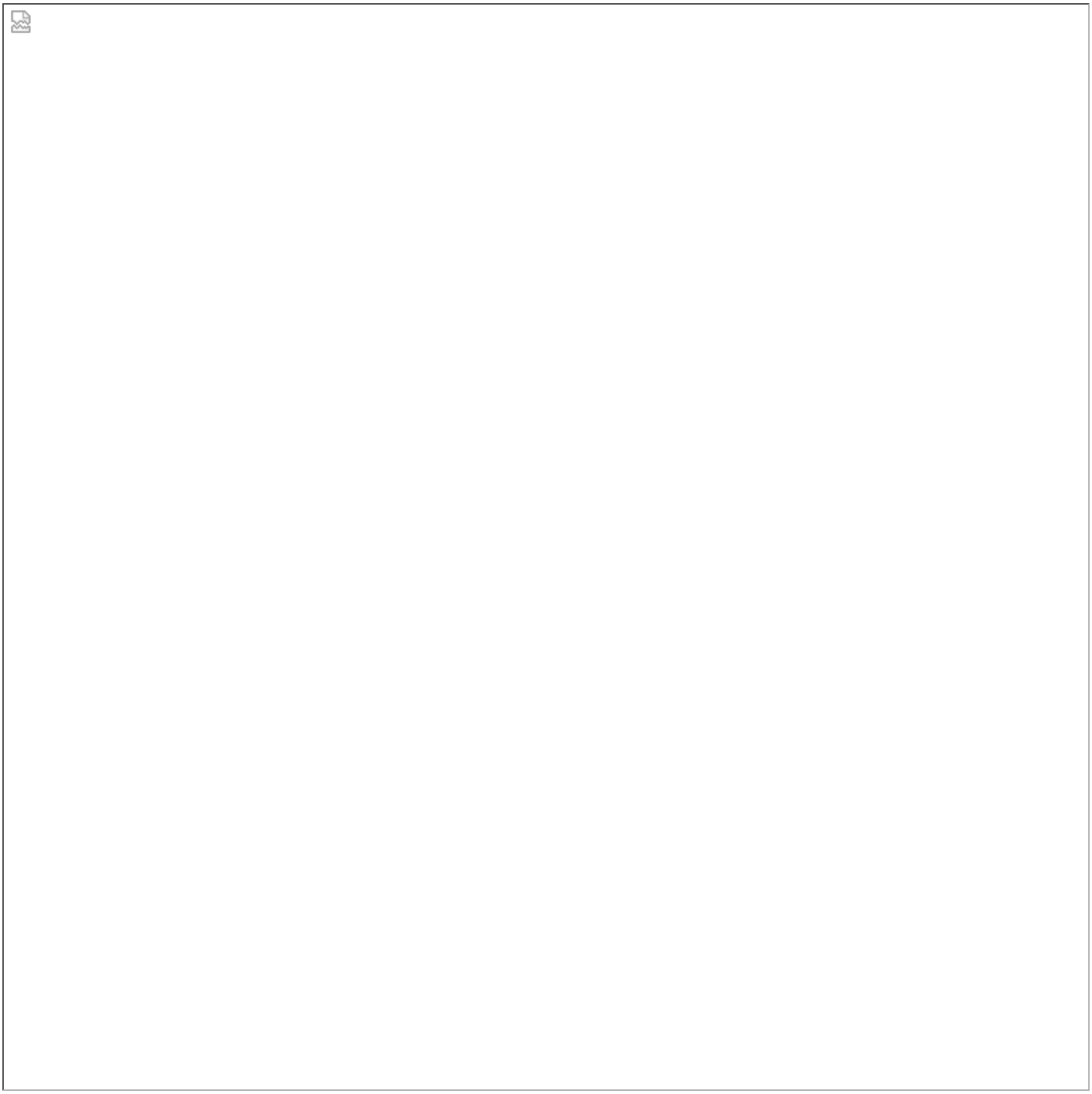
You act like there are no contracts but we can have the white hats in the Feds or any god following white hat investigators dig that up

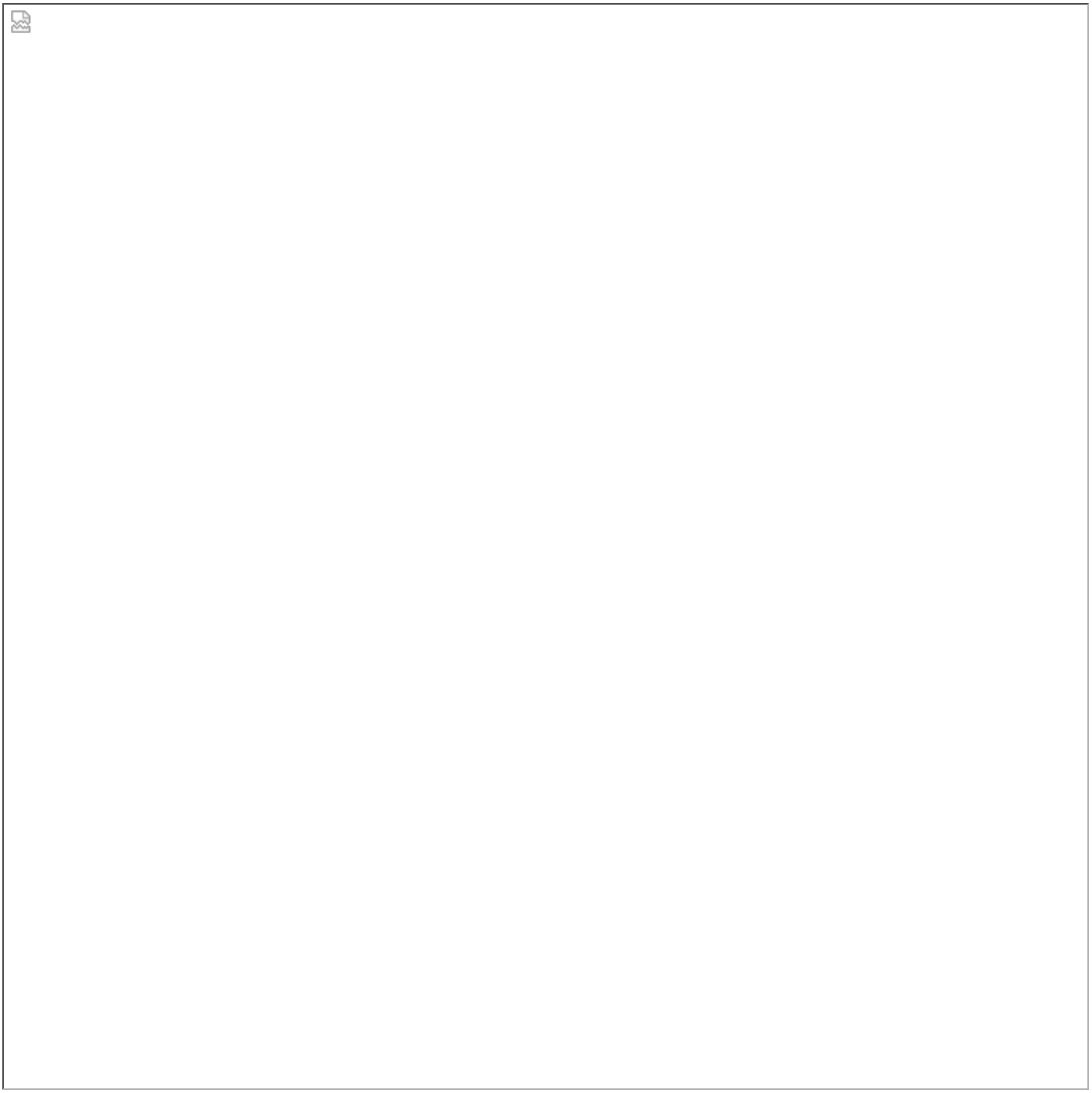
where the paper records are somewhere, the State Police, whoever White Hats we have in offices can and will dig up these records, even if they are paper shredded. We will dig up the records then we will push for you to be arrested for obstruction of justice, Eric Ferguson. Getting in an innocent man's way trying to prove his factual innocence, standing in his way trying to stop him from proving his innocence. This is obstruction of justice when any evidence of Brian being exposed long-term to carbon monoxide was covered up, Hospital records being covered up, and then lie in federal and state court records that Brian was medically and psychologically cleared. Brian was not cleared, and Eric Ferguson wants to stand in our way from proving Brian was not medically cleared the day he was arrested for indecent exposure.

https://justiceforuswgo.files.wordpress.com/2022/07/1.jpg - Carbon Monoxide photo #1 given by Brian's family

https://justiceforuswgo.files.wordpress.com/2022/07/2.jpg - Carbon Monoxide photo #2 given by Brian's family

https://justiceforuswgo.files.wordpress.com/2022/07/3.jpg - Carbon Monoxide photo #3 given by Brian's family





BRIAN IS INNOCENT, ERIC FERGUSON. STAY OUT OF BRIAN'S WAY TO ACQUITTAL YOU DEMON.

BRIAN IS INNOCENT, ERIC FERGUSON. STAY OUT OF BRIAN'S WAY TO ACQUITTAL YOU DEMON.

BRIAN IS INNOCENT, ERIC FERGUSON. STAY OUT OF BRIAN'S WAY TO ACQUITTAL YOU DEMON.

Those who get in Brian's way to proving his innocence are demons. That includes GLEN ANDREW HALL, ESQ, **JOHN IRA JONES IV, MATTHEW ST**

CLARK, GILES CARTER GREER, ROBERT JONES, GE CASSADY, ANAND PRAKASH RAMASWAMY. **All of those who oppose Brian David Hill being innocent of his crime are DEMONS.** It is a true demon to make this man suffer for a crime he is innocent of yet another day.

He should have been acquitted in that damned Circuit Court years ago. It's a Circus Court for the CORRUPT COMMONWEALTH of Virginia.

Job was tortured, he lost everything, and people turned against him to get him to curse God, and Job did not. Will Brian curse God to have his suffering ending??? That's a question for Brian and Brian alone to decide.

11/19/17 12:14 Discharged to Home. Impression: Head Laceration/ Open wound
of head, Hyperglycemia, unspecified.
- Condition is Stable.

They caused this, Eric Ferguson,

12:12 Differential diagnosis: abrasion, closed head injury, concussion, eeg contusion, dislocation, fracture, laceration, multiple trauma, sprain, Substance abuse. Data reviewed: vital signs, nurses notes, lab test result(s), radiologic studies. Data interpreted: Cardiac monitor: Normal rate. Counseling: I had a detailed discussion with the patient and/or guardian regarding: the historical points, exam findings, and any diagnostic results supporting the discharge/admit diagnosis, lab results, radiology results, the need for outpatient follow up, to return to the emergency department if symptoms worsen or persist or if there are any questions or concerns that arise at home. Response to treatment: the patient's symptoms have markedly improved after treatment

Improved after treatment!!!! Because Eric Ferguson, they were outside of the carbon monoxide home for hours and hours in the Emergency Room. Symptoms improved because of being away from the home.

Read the medical records. https://justiceforuswgo.files.wordpress.com/2019/07/hospital-records-nov.-2017.pdf

12:11 Wound Repair of 3cm (1.2in) subcutaneous laceration to forehead. eeg
Linear shaped .. No foreign body noted. Distal neuro/vascular/tendon intact. Anesthesia: Wound infiltrated with 3 mls of 1% lidocaine w/ Epi. Wound prep: Simple cleansing with betadine. Skin closed with 6 1-0 Prolene using Staple gun. Dressed with pressure dressing. Patient tolerated well.

WBC 1111.6 H

Sinus tachycardia
Possible Left atrial enlargement
Borderline ECG

09:08 BP 131 / 76; Pulse 118; Resp 20; Temp 98.2; Pulse Ox 97%
91.63 kg; Height 5 ft. 10 in. (177.80 em);

09:46 patient has OCD and had to do his "routines" prior to coming, has mkk been about 4 hours since injury occured

Brian was under carbon monoxide gas exposure and poisoning, This is really his best defense he has in his criminal case. We all ask that you do not wreck that Eric Ferguson, please do not try to wreck his defense in criminal court.

Leave Brian alone and let him prove his innocence. Please do not stand in his way, in the name of CHRIST,
Stanley Bolten

On 2022-06-29 14:31, ROBERTA HILL wrote:

> Aaron M. Ziglar,
>
> Need an extension of time as I am requesting copies of my bank record from SunTrust/TRUIST bank as they would have the bank account record proving that a check was paid for to "The Chimney Sweep". It is having to be done by snail mail and FAX to a random TRUIST fax number hoping they will process this request quicker.
>
> I am sending you both a copy of a request made to TRUIST bank asking for my bank account statement and records proving that $300 was paid in October, 2017 to The Chimney Sweep for their service. Why would I pay $300 to The Chimney Sweep on October 5, 2017 by check???
>
> The transaction record will prove this. I ask that the Attorney General also subpoena and investigate for the financial records from my bank account at that time the check was given to The Chimney Sweep as payment, as it will prove the lawyer for The Chimney Sweep is lying. Under the Bank Secrecy Act, checks after being cleared must be retained on the record for at least five years. That was doing research on Google for how long banks have to keep financial records for things like investigations or other things.

So we have until October 5, 2022, or October 6, 2022 (whatever date that The Chimney Sweep cashed in my check) to request the record and get access to the record to prove that $300 was paid to The Chimney Sweep by check, from my own bank account when it was SunTrust before it was bought up by another bank, First Horizon Bank.

My son wants you to know why he took so long. He actually wanted to hold The Chimney Sweep accountable in 2019, faxed the Fire Marshals in 2019 and had somebody email one of the two county (Martinsville and/or Franklin County) of Fire Marshals but the Fire Marshals did nothing about Brian's request. He didn't know about this complaint process until this year. He did try to have The Chimney Sweep contacted by his friend emailing them but it was another Chimney Sweep business. We had tried a few things to try to prove that they started the carbon monoxide gas exposure, but Brian was busy trying to fight in federal court and state court. The Circuit Court in Martinsville is CORRUPT and has dragged his misdemeanor case for years, dragged it from 2018 to 2021 through the corrupt Court of Appeals. Brian tried to demonstrate that he was innocent of indecent exposure but the judge denies every motion and every appeal fails no matter what was argued. There is judicial corruption in Martinsville, that is why it has taken so long to fight. Brian shouldn't be suffering this long for a crime he is innocent of, and that is a misdemeanor. The judge is corrupt, the Commonwealth Attorney is corrupt, and the court appointed lawyers are corrupt as well. It has taken so long fighting them all, that was why it has taken so long to complain about The Chimney Sweep. Brian kept fighting for a few years in the corrupt Court of Appeals of Virginia, in the corrupt Circuit Court over what The Chimney Sweep has caused. Brian kept fighting and got nowhere. Now this is his only option, because Brian is innocent and he wants the witnesses to come forth and admit that why he is suffering for a crime he didn't do, a crime which wasn't a crime under the circumstances of Carbon Monoxide gas and poisoning.

This lawyer should see the suffering Brian Hill had gone through for years over a misdemeanor because of the corrupt lawyers in Virginia. Brian shouldn't be having to go after The Chimney Sweep to prove his innocence but the courts are CORRUPT. The Judges are blackmailed. The problem is the corruption in the judicial system, we aren't doing this against The Chimney Sweep out of ill will intent, but because the Court is corrupt and refuses to accept Brian David Hill was under carbon monoxide poisoning and refuses to accept his innocence. My son is INNOCENT, HE IS INNOCENT, the court is corrupt and the lawyers are corrupt.

If The Chimney Sweep had no involvement with the metal tin being placed on the chimney causing carbon monoxide gas and damage to Brian's apartment and his suffering and poisoning and his wrongful conviction of indecent exposure, then what was $300 being paid to them for then???

Gotta ask The Chimney Sweep why they would fully deny any involvement or providing any service to the "Hills" while they were paid $300 on October 5, 2017 by check. That money doesn't just go to a business for nothing, does it???

My son didn't want to piss off the Chimney Sweep years ago and thought he could prove his innocence in another way. He is being denied every motion he files by the Dishonorable corrupt judge Giles Carter Greer of Martinsville and it's corrupt Circuit Court of hell and torment. Brian tried to do everything he could and kept failing, wait for about a year on his appeal then his court appointed lawyer filed nothing and then delayed appeal was granted. The appeal was dragged another year. It took that long for his criminal appeals. All fgailed because he has a corrupt court appointed lawyer Matthew Scott Thomas Clark and another corrupt lawyer is John Ira Jones, IV who had a conflict of interest because he represented the Commonwealth of Virginia prior to being a public pretender and then he betrayed Brian and wrecked his appeal by citing Anders v. California. So we been dealing with corrupt lawyers in Virginia. Nothing but corrupt lawyers telling Brian with withdraw his appeal, to just give up, begging him over and over again to give up, to give up.

Corrupt lawyers wanting Brian to stop fighting to prove his innocence of his state charge of indecent exposure. I am not surprised.

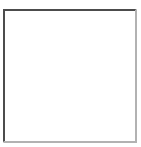
Martinsville Police could have investigated The Chimney Sweep and had the opportunity to do so in 2019 when Brian sent a letter to Martinsville Police (also filed with the U.S. District Court, Middle District of North Carolina) about The Chimney Sweep and about the carbon monoxide. Brian mailed letters with the Circuit Court about The Chimney Sweep and/or about the carbon monoxide gas in 2019, and corrupt Commonwealth Attorney Glen Andrew Hall ignored the carbon monoxide

information, and ignored it all. Another government official was emailed in 2019 which spoke of The Chimney Sweep and nothing was done about it. They refused to investigate any of it. That is why it has taken so long. We have a corrupt local Martinsville Police Department in Martinsville who protects drug dealers and protects drug houses, it's corrupt Police Chief G. E. Cassady. They do protect certain drug houses, we are aware of this to a certain extent, a police chief afraid that Brian being intoxicated on September 21, 2018, due to the carbon monoxide (but any lab tests or drug tests would not immediately say it was carbon monoxide, but would show abnormal levels if the tests were conducted) but the police would assume my son would have been intoxicated on drugs and would want that covered up. There are investigations which the State Police need to be making into the cover up of Hospital records, medical record pages with page numbers and some of them are missing from the medical records at Martinsville City Jail. Corrupt Sheriff of Martinsville, corrupt this, corrupt that. Now you understand why Brian filed a complaint against The Chimney Sweep. Martinsville is full of corruption and thuggery in it's government, outta call it Mafiaville instead of Martinsville.

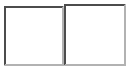
Thanks,
Roberta Hill

On 6/29/2022 9:44 AM, Ziglar, Aaron M. wrote:

> Dear Mr. Hill,
>
> Thank you for authorizing the Virginia Attorney General's Office to assist in the resolution of your dispute. Our Office has received the below written response from the business to your complaint. Please review it carefully and, if you would like to provide a response, please do so in writing within ten (10) business days from the date of this email.
>
> In the event I fail to hear from you in writing within ten business days, the complaint will be closed and no further action will be taken.
>
> This Office will retain the complaint form and copies of all official correspondence regarding the complaint in accordance with the applicable state retention schedule. Under the Virginia Freedom of Information Act, please be advised that these materials will be available to the public for review, upon request.
>
> If you have any additional information or need further assistance, please feel free to contact me or respond to this message.
>
> Sincerely,
>
> **Aaron M. Ziglar**
> **Dispute Resolution Specialist**
> Office of the Attorney General
> 202 North 9th Street
> Richmond, Virginia 23219
> (804) 786-1244 Office
> AZiglar@oag.state.va.us
> http://www.ag.virginia.gov



3073



-

From: Eric Ferguson <eferguson@fergusonlaw.net>
Sent: Tuesday, June 28, 2022 10:54 AM
To: Ziglar, Aaron M. <AZiglar@oag.state.va.us>
Subject: Re: 953850 Mr. Brian D. Hill VS The Chimney Sweep

Mr. Ziglar--Thanks for speaking with me yesterday and allowing me to submit this response in email format. I really appreciate your working with me and my client on submitting this response to the complaint of Mr. Hill.

My client is Jacody Cassell and he is the owner of The Chimney Sweep in Franklin County, VA. He has been the owner since 2016. His father had owned it from 1976 until 2016. Jacody has always worked for this company. His son works for him now and intends to take over the company one day.

The Chimney Sweep is a very reputable company and has had very few complaints made against them for their work. My client claims to have no knowledge of Brian D. Hill and Roberta Hill. My client has no records of ever providing an estimate for work to be done at the home of the Hills in Martinsville and he has no evidence of ever doing any work for the Hills at a home in Martinsville. My client has no record of ever being paid to do any work for the Hills. More importantly, until May 17, 2022, when Mr. Hill filed this complaint, my clients were never told about any of these claims.

My client has never done any work for the Hills. They have never received any complaints from the HIlls. One would think that it would not take 3-5 years to make a complaint. Mr. Hill is seeking damages for payment of his legal expenses as a result of criminal charges in 2018.

Mr. Hill's complaint is baseless and he has no evidence to support it. He has offered no contract, no estimate, and no evidence of payment. He has nothing with which to back up his complaint. Even if he did, the statute of limitations for bodily injury is two years. The appropriate statutes regarding contracts are 3 years for verbal agreements and 5 years for written agreements. Since he has no written one, one must assume that if he had an agreement, it would be verbal and therefore beyond that statute of limitation as well.

On behalf of The Chimney Sweep, I ask that this complaint be dismissed. There is no evidence to support this claim.

Please advise of any next step. Thank you for your time and consideration.

Eric H. Ferguson, Esq.

RHODES & FERGUSON ATTORNEYS AT LAW

305 S. Main Street

Rocky Mount, VA 24151

540-483-5234 (phone)

540-483-5763 (fax)

eferguson@fergusonlaw.net

PLEASE NOTE NEW EMAIL ADDRESS

image004.jpg

image002.jpg

image003.jpg

Attachments:

image004.jpg	2.3 KB
image002.jpg	963 bytes
image003.jpg	903 bytes
hospital-records-nov.-2017.pdf	14.8 MB

HILL,BRIAN D
MM7805836274 PRE ER MM.ER
11/19/17 0850 UNKNOWN.UNKNOWN
DOB:05/26/90 27 M MR# MM00370912
Sovah Health - Martinsville

Sovah Health Martinsville

320 Hospital Drive
Martinsville, VA 24112
276-666-7237

11/9/67
97
98%
18

Emergency Department Instructions for: **Hill, Brian D**

Arrival Date: **Sunday, November 19, 2017**

Thank you for choosing **Sovah Health Martinsville** for your care today. The examination and treatment you have received in the Emergency Department today have been rendered on an emergency basis only and are not intended to be a substitute for an effort to provide complete medical care. You should contact your follow-up physician as it is important that you let him or her check you and report any new or remaining problems since it is impossible to recognize and treat all elements of an injury or illness in a single emergency care center visit.

Care provided by: Ekuban-Gordon, Edna, MD

Diagnosis: Head Laceration/ Open wound of head; Hyperglycemia, unspecified

DISCHARGE INSTRUCTIONS	FORMS
Head Injury, Adult Facial Laceration Hyperglycemia, Easy-to-Read Stitches, Staples, or Adhesive Wound Closure, Easy-to-Read	Medication Reconciliation
FOLLOW UP INSTRUCTIONS	**PRESCRIPTIONS**
Private Physician When: 2 - 3 days; Reason: Wound Recheck	None
SPECIAL NOTES	
None	

Suicide National Hotline: 1-800-273-8255 (800-273-TALK)

If you received a narcotic or sedative medication during your Emergency Department stay you should not drive, drink alcohol or operate heavy machinery for the next 8 hours as this medication can cause drowsiness, dizziness, and decrease your response time to events.

I hereby acknowledge that I have received a copy of my transition care record and understand the above instructions and prescriptions.

Brian D. Hill

Brian Hill
MRN # MM00370912

Bell Thornton, RN

ED Physician or Nurse
11/19/2017 12:14

X-RAYS and LAB TESTS:
If you had x-rays today they were read by the emergency physician. Your x-rays will also be read by a radiologist within 24 hours. If you

had a culture done it will take 24 to 72 hours to get the results. If there is a change in the x-ray diagnosis or a positive culture, we will contact you. Please verify your current phone number prior to discharge at the check out desk.

MEDICATIONS:
If you received a prescription for medication(s) today, it is important that when you fill this you let the pharmacist know all the other medications that you are on and any allergies you might have. It is also important that you notify your follow-up physician of all your medications including the prescriptions you may receive today.

TESTS AND PROCEDURES

Labs
CMP, Complete Blood Count W/auto Diff, Thyroid Stimulating Hormone, POC GLU, POC GLU

Rad
CT Head w/o Contrast, Chest 1 View - Portable

Procedures
Blood Sugar, 12 Lead EKG, Laceration

Other
Seizure precautions, Accucheck, Cardiac Monitor, Apply to Pt, Pulse ox continuous, Oxygen at 2 L/NC, IV saline lock, EKG ED, Laceration repair set up

Chart Copy


HILL,BRIAN D
MM7805836274 PRE ER MM.ER
11/19/17 0850 UNKNOWN,UNKNOWN
DOB:05/26/90 27 M MR# MM00370912
Sovah Health - Martinsville

EMERGENCY DEPARTMENT RECORD
Nurse's Notes
Sovah Health Martinsville
Name: Brian Hill
Age: 27 yrs
Sex: Male
DOB: 05/26/1990
MRN: MM00370912
Arrival Date: 11/19/2017
Time: 08:51
Account#: MM7805836274
Bed ER 6
Private MD:
Diagnosis: Head Laceration/ Open wound of head;Hyperglycemia, unspecified

Presentation:
11/19
09:08 Presenting complaint: Patient states: had a seizure this morning due to low blood sugar, laceration to head per pt, bleeding controlled. Airway is patent with good air movement. The patient is breathing without difficulty. The patient is pink,warm and dry. Heart rate is within normal limits. Patient is alert and oriented to person, place and time, Patient is moving all extremities appropriately. ll
11/19
09:08 Acuity: Urgent (3) ll

Historical:
- Allergies: Ranitidine;
- Home Meds:
1. Unable to Obtain
- PMHx: OCD; autism; Diabetes - IDDM;
- Sepsis Screening:: Sepsis screening negative at this time.
- Social history:: Tobacco Status: The patient states he/she has never used tobacco. The patient's primary language is English. The patient's preferred language is English.
- Family history:: Reviewed and not pertinent.
- Exposure Risk/Travel Screening:: Patient has not been out of the country in last 30 days. Have you been in contact with anyone who is ill that has traveled outside of the country in the last 30 days? No.
- Suicide Screening:: Have you recently had thoughts about hurting yourself or others? No.
- Tuberculosis screening:: No symptoms or risk factors identified.

Screening:
11/19
09:41 Fall Risk: Total Points: Med. Risk (25-44);. Abuse Screen: Patient verbally denies physical, verbal and emotional abuse/neglect. There are no cultural/spiritual considerations for care for this patient. mkk

Assessment:
11/19

09:38 Complains of pain in face Pain does not radiate. Pain currently is 7 mkk

out of 10 on a pain scale. The level of pain that is acceptable is 0 out of 10 on a pain scale. General: Appears in no apparent distress, comfortable, well developed, well nourished, well groomed, Behavior is appropriate for age, cooperative, pleasant. Neuro: Reports headache. Neuro: Reports seizure due to low blood sugar. EENT: Denies. Cardiovascular: Denies. Respiratory: Denies. GI: Denies. GU: Denies. Derm: Denies. Musculoskeletal: Denies. Injury Description: Laceration sustained to face is clean, 0.5 to 2.5 cm long, not bleeding, was sustained 4-6 hours ago.

11/19
09:38 Method Of Arrival: EMS mkk

Vital Signs:

11/19
09:08 BP 131 / 76; Pulse 118; Resp 20; Temp 98.2; Pulse Ox 97% ; Weight 91.63 kg; Height 5 ft. 10 in. (177.80 cm); ll

11/19
09:46 mkk

11/19
10:59 BP 124 / 73; Pulse 93; Resp 18; Pulse Ox 100% on R/A; mkk

11/19
12:57 BP 119 / 67; Pulse 97; Resp 19; Pulse Ox 98% on R/A; pt3

11/19
09:08 Body Mass Index 28.98 (91.63 kg, 177.80 cm) ll

11/19
09:46 patient has OCD and had to do his "routines" prior to coming, has been about 4 hours since injury occured mkk

Glasgow Coma Score:

11/19
12:16 Eye Response: spontaneous(4). Verbal Response: oriented(5). Motor Response: obeys commands(6). Total: 15. eeg

ED Course:

11/19
08:51 Patient arrived in ED. knm

11/19
09:09 Rapid Initial Assessment completed. ll

11/19
09:27 Ekuban-Gordon, Edna, MD is Attending Physician. eeg

11/19
09:41 Patient has correct armband on for positive identification. Placed in gown. Bed in low position. Call light in reach. Side rails up X2. Adult with patient. Seizure precautions initiated. NIBP on. Pulse ox on. mkk

11/19
09:41 No physician assisted procedures were completed. mkk

11/19
10:01 Inserted saline lock: 20 gauge right arm blood drawn from IV and sent to lab per order. mkk

11/19
10:08 EKG Done By ED Tech 10:06 Reviewed by Physician Edna Ekuban-Gordon MD.bh

11/19
10:40 Critical Lab Value: Patient Name verified: Brian Hill, Patient DOB ll

Verified May 26, 1990 Critical value glucose 459reported read back to reporting lab personnel, and reported to Dr. Edna Ekuban-Gordon MD.
11/19
10:59 Assist provider with laceration repair Set up tray. mkk
11/19
11:53 Troncoso, Priscilla, RN is Primary Nurse. pt3

Administered Medications:
11/19
10:59 Drug: NS 0.9% 1000 ml Route: IV; Rate: 999 mL/hr; Site: right arm; mkk
11/19
12:59 Follow up: Response: No adverse reaction; IV Status: Completed infusion pt3
11/19
11:02 Drug: NovoLIN R 7 units {Co-Signature: mkk (Michaela Karet RN).} ll
Route: IVP; Site: right arm;
11/19
12:58 Follow up: Response: No adverse reaction pt3

Point of Care Testing:
Blood Glucose:
11/19
09:40 Glucose Value: 489; mkk
11/19
09:43 Glucose Value: 435; mkk
11/19
09:40 test repeated mkk
Ranges:

Output:
11/19
11:28 Urine: 600ml (Voided); Total: 600ml. dab

Outcome:
11/19
12:14 Discharge ordered by Provider. eeg
11/19
12:57 Discharged to home ambulatory, with family. pt3
12:57 Instructions given to patient, parent, Instructed on discharge instructions. follow up and referral plans. . Patient and/or family voiced understanding of instructions using teach back method.
12:57 The patients' shirt, pants, shoes, socks and underwear were sent with the patient.
12:57 Discharge Assessment: Patient
12:57 Discharge Assessment: Patient has no functional deficits.
12:57 Discontinued IV lock intact, bleeding controlled, pressure dressing applied, No redness/swelling at site.
11/19
13:24 Patient left the ED. jkp

Signatures:
Harrison, Rindi, RN RN ll
Ekuban-Gordon, Edna, MD MD eeg

EMERGENCY DEPARTMENT RECORD
Physician Documentation
Sovah Health Martinsville
Name: Brian Hill
Age: 27 yrs
Sex: Male
DOB: 05/26/1990
MRN: MM00370912
Arrival Date: 11/19/2017
Time: 08:51
Account#: MM7805836274
Bed ER 6
Private MD:
ED Physician Ekuban-Gordon, Edna
HPI:
11/19
11:49 This 27 yrs old White Male presents to ER via EMS with complaints of Fall Injury. eeg
11/19
11:49 Onset: The symptoms/episode began/occurred today. Associated injuries: The patient sustained injury to the head. Associated signs and symptoms: Loss of consciousness: the patient experienced no loss of consciousness. Severity of symptoms: in the emergency department the symptoms are unchanged. Pain Management: Patient denies pain. The patient has experienced similar episodes in the past, a few times. The patient has not recently seen a physician. Family report history of low blood sugar, general low will have seizure episode when the blood sugar is low. Blood sugar was obtained by mom at 20 repeat 40 was subsequently given some oral glucose and brought here for further evaluation. Patient denies any headache palpitation no neck pain and stiffness. Admits to feeling like himself.. eeg

Historical:
- Allergies: Ranitidine;
- Home Meds:
1. Unable to Obtain
- PMHx: OCD; autism; Diabetes - IDDM;
- Sepsis Screening:: Sepsis screening negative at this time.
- Social history:: Tobacco Status: The patient states he/she has never used tobacco. The patient's primary language is English. The patient's preferred language is English.
- Family history:: Reviewed and not pertinent.
- Exposure Risk/Travel Screening:: Patient has not been out of the country in last 30 days. Have you been in contact with anyone who is ill that has traveled outside of the country in the last 30 days? No.
- Suicide Screening:: Have you recently had thoughts about hurting yourself or others? No.
- Tuberculosis screening:: No symptoms or risk factors identified.
- The history from nurses notes was reviewed: and I agree with what is documented up to this point.

ROS:

11/19
11:52 Eyes: Negative for injury, pain, redness, and discharge, ENT: eeg
Negative for injury, pain, and discharge, Neck: Negative for injury,
pain, and swelling, Cardiovascular: Negative for chest pain,
palpitations, and edema, Respiratory: Negative for shortness of
breath, cough, wheezing, and pleuritic chest pain, Abdomen/GI:
Negative for abdominal pain, nausea, vomiting, diarrhea, and
constipation, Back: Negative for injury and pain, MS/Extremity:
Negative for injury and deformity. All other systems are negative,
except as documented below. Skin: Positive for laceration(s), of the
face. Neuro: Negative for dizziness, headache, weakness. Psych:
Negative for depression, alcohol dependence, homicidal ideation,
suicide gesture.

Exam:
11/19
11:53 Eyes: Pupils equal round and reactive to light, extra-ocular motions eeg
intact. Lids and lashes normal. Conjunctiva and sclera are
non-icteric and not injected. Cornea within normal limits.
Periorbital areas with no swelling, redness, or edema. ENT: Nares
patent. No nasal discharge, no septal abnormalities noted. Tympanic
membranes are normal and external auditory canals are clear.
Oropharynx with no redness, swelling, or masses, exudates, or
evidence of obstruction, uvula midline. Mucous membrane moist Neck:
Trachea midline, no thyromegaly or masses palpated, and no cervical
lymphadenopathy. Supple, full range of motion without nuchal
rigidity, or vertebral point tenderness. No Meningismus.
Chest/axilla: Normal chest wall appearance and motion. Nontender
with no deformity. No lesions are appreciated. Cardiovascular:
Regular rate and rhythm with a normal S1 and S2. ,no jvd No pulse
deficits. Respiratory: Lungs have equal breath sounds bilaterally,
clear to auscultation and percussion. No rales, rhonchi or wheezes
noted. No increased work of breathing, no retractions or nasal
flaring. Abdomen/GI: Soft, non-tender, with normal bowel sounds. No
distension or tympany. No guarding or rebound. No evidence of
tenderness throughout. Back: No spinal tenderness. No
costovertebral tenderness. Full range of motion. MS/ Extremity:
Pulses equal, no cyanosis. Neurovascular intact. Full, normal range
of motion. Neuro: Awake and alert, GCS 15, oriented to person,
place, time, and situation. Cranial nerves II-XII grossly intact.
Motor strength 5/5 in all extremities. Sensory grossly intact.
Cerebellar exam normal. Normal gait., slow, but appropriate Psych:
Awake, alert, with orientation to person, place and time. Behavior,
mood, and affect are within normal limits.
11:53 Constitutional: The patient appears alert, awake, non-diaphoretic.
11:53 Head/face: Noted is a laceration(s), that is linear, 3 cm(s).
11:53 Musculoskeletal/extremity: Extremities: all appear grossly normal,
with no appreciated pain with palpation, ROM: intact in all
extremities, Circulation is intact in all extremities. Sensation
intact.
11:53 Psych: Behavior/mood is cooperative.

Vital Signs:
11/19

RUN DATE:11/23/17

DISCHARGE SUMMARY FOR MEDICAL RECORDS FOR LABORATORY

Patient: HILL,BRIAN D #MM7805836274 **(Continued)**

**********CHEMISTRY**********

	Date 11/19/17 Time 1007			Reference	Units
BUN	7			(5-25)	MG/DL
CREATININE	1.01			(0.90-1.30)	MG/DL
eGFR NON-AA	102(A)				
eGFR AA	118(B)				
SODIUM	131 L			(135-145)	MMOL/L
POTASSIUM	4.4			(3.5-5.0)	MMOL/L
CHLORIDE	96 L			(98-109)	MMOL/L
CO2	26			(20-30)	MMOL/L
ANION GAP	9.0			(1-10)	
GLUCOSE	459(C) *H			(65-100)	MG/DL
CALCIUM	9.0			(8.5-10.3)	MG/DL
TOTAL PROTEIN	7.8			(6.0-8.0)	G/DL
ALBUMIN	4.3			(3.2-5.5)	G/DL
AG	1.2			(1.2-1.7)	RATIO
GLOBULIN	3.5			(2.5-3.9)	G/DL
T BILI	0.50			(0.20-1.00)	MG/DL
SGOT/AST	27			(10-42)	IU/L
SGPT/ALT	21			(10-60)	IU/L
ALK PHOS	74			(42-121)	IU/L
TSH	1.29			(0.34-5.60)	uIU/ML

(A) Non-African American

(B) African American.
eGFR UNITS: ml/min/1.73m2.
*eGFR >= 60 = Normal GFR or mild decrease in GFR
*eGFR 30-59 = Moderate decrease in GFR (Stage 3 CKD)
*eGFR 15-29 = Severe decrease in GFR (Stage 4 CKD)
*eGFR <15 = End-stage kidney failure (Stage 5 CKD)

The equation has not been validated in patients >70 YRS OLD.

(C) CRITICAL RESULTS CALLED ON 11/19/17
AT 1035 TO: RINDY LAPRADE/RB/CALLED X 2 SNCE 1035
BY: CLIFTON,LYDIA C

Patient: HILL,BRIAN D **Age/Sex:** 27/M **Acct#**MM7805836274 **Unit#**MM00370912

SOVAH HEALTH - MARTINSVILLE
RADIOLOGY DEPT
320 HOSPTIAL DR
MARTINSVILLE, VA 24112
PHONE #: 276-666-7223
FAX #: 276-666-7591

Name: HILL,BRIAN D
Phys: EKUBAN-GORDON,EDNA MD
DOB: 05/26/1990 Age: 27 Sex: M
Acct: MM7805836274 Loc: MM.ER
Exam Date: 11/19/2017 Status: DEP ER
Radiology No:
Unit No: MM00370912

EXAMS:
000898111 CHEST 1 VIEW - PORTABLE

EXAM REASON:
Chest Tightness

PORTABLE CHEST

HISTORY: Seizure.

COMPARISON: 11/10/2015

FINDINGS: The heart size and configuration are within normal limits for age and portable technique. The lungs are clear. There is no evidence of pleural effusions or pneumothorax. No acute bony abnormality.

IMPRESSION: No evidence of acute cardiopulmonary disease.

** Electronically Signed by MAROON B KHOURY on 11/19/2017 at 1424 **
Reported by: DR. MAROON B KHOURY
Signed by: KHOURY,MAROON B

CC: EDNA EKUBAN-GORDON MD

Technologist: KYLEA ANN KEATTS
Transcribed Date/Time: 11/19/2017 (1146)
Transcriptionist: MMTRSPSB
Orig Print D/T: S: 11/19/2017 (1424)
BATCH NO: N/A

PAGE 1 Signed Report

HILL, BRIAN ID: 000370912 19-Nov-2017 10:06:44 Memorial Hospital of Martinsville

27years
Male Caucasian

Vent. rate 105 bpm
PR interval 158 ms
QRS duration 92 ms
QT/QTc 328/433 ms
P-R-T axes 64 64 52

Sinus tachycardia
Possible Left atrial enlargement
Borderline ECG

Time: 1007
Int.
Bed 6
Signature

Room: 6
Loc: 15

T HILL,BRIAN D
MM7805836274 PRE ER MM.ER
11/19/17 0850 UNKNOWN,UNKNOWN
DOB:05/26/90 27 M MR# MM00370912
Sovah Health - Martinsville

Visit: MM7805836274
Secondary ID: MM216937
Referred by: EKUBAN-GORDON, EDNA

Order no.: 211490013
Unconfirmed

CHEST PAIN

I aVR V1 V4
II aVL V2 V5
III aVF V3 V6
II

100 Hz 25.0 mm/s 10.0 mm/mV 4 by 2.5s + 1 rhythm ld MAC55 010B 12SL™v241 HD

P/N 2009828-024 GE Healthcare PRINTED IN U.S.A.

EKG Scanned Page 1/1 MM00370912 SOVAH Health - Martinsville MM7805836274 Job 12468 (07/02/2019 14:03) Page 35 Doc# 12

SOVAH HEALTH - MARTINSVILLE
320 HOSPITAL DRIVE - P.O. BOX 4788
MARTINSVILLE, VA 24112 (276)666-7360
CLIA NO. 49D0231853 RT CLIA NO. 4D0661287

RUN DATE:11/23/17

DISCHARGE SUMMARY FOR MEDICAL RECORDS FOR LABORATORY

CMAX: MM00370912~MM7805836274~LABDATA~20171123~LABDISMM1001869144~COCMMH~COCVAE~LAB.COCMMH~

PATIENT: HILL,BRIAN D
REG DR: EKUBAN-GORDON,EDNA MD

ACCT #: MM7805836274 **LOC:** MM.ER **U #:** MM00370912
AGE/SX: 27/M **ROOM:** **REG:** 11/19/17
DOB: 05/26/90 **BED:** **DIS:**
STATUS: DEP ER **TLOC:**

**********POINT OF CARE**********

Date	11/19/17			
Time	1006	0943	Reference	Units
POC GLU	429 H	435 H	(65-100)	MG/DL

**********HEMATOLOGY**********

Date	11/19/17			
Time	1007		Reference	Units
WBC	11.6 H		(4.5-11.0)	K/UL
RBC	5.32		(4.50-5.90)	M/UL
HGB	15.8		(14.0-17.5)	G/DL
HCT	46.0		(35.0-49.0)	%
MCV	86.5		(80-96)	UM3
MCH	29.7		(27-32)	PG
MCHC	34.3		(32-37)	G/DL
RDW	13.1		(11.5-14.5)	%
RDW-SD	41.1		(35.1-43.9)	fl
PLT	241		(140-440)	K/UL
MPV	10.8 H		(7.4-10.4)	fl
SEGS %	84 H		(37-80)	%
SEG ABSOLUTE	9.77 H		(1.5-6.8)	K/UL
LYMPH %	10		(10-50)	%
LYMPH ABSOLUTE	1.10		(1.0-4.0)	K/UL
MONO %	6		(0-12)	%
MONO ABSOLUTE	0.64		(0.2-1.0)	K/UL
EOS %	0		(0-7)	%
EOS ABSOLUTE	0.05		(0.0-0.5)	K/UL
BASO %	0		(0-2)	%
BASO ABSOLUTE	0.04		(0.0-0.2)	K/UL
IG %	0.3			%
IG ABSOLUTE	0.0		(0.0-0.1)	

Patient: HILL,BRIAN D **Age/Sex:** 27/M **Acct#**MM7805836274 **Unit#**MM00370912

09:08 BP 131 / 76; Pulse 118; Resp 20; Temp 98.2; Pulse Ox 97% ; Weight 91.63 kg; Height 5 ft. 10 in. (177.80 cm); — ll

11/19
09:46 — mkk

11/19
10:59 BP 124 / 73; Pulse 93; Resp 18; Pulse Ox 100% on R/A; — mkk

11/19
12:57 BP 119 / 67; Pulse 97; Resp 19; Pulse Ox 98% on R/A; — pt3

11/19
09:08 Body Mass Index 28.98 (91.63 kg, 177.80 cm) — ll

11/19
09:46 patient has OCD and had to do his "routines" prior to coming, has been about 4 hours since injury occured — mkk

Glasgow Coma Score:

11/19
12:16 Eye Response: spontaneous(4). Verbal Response: oriented(5). Motor Response: obeys commands(6). Total: 15. — eeg

Laceration:

11/19
12:11 Wound Repair of 3cm (1.2in) subcutaneous laceration to forehead. Linear shaped.. No foreign body noted. Distal neuro/vascular/tendon intact. Anesthesia: Wound infiltrated with 3 mls of 1% lidocaine w/ Epi. Wound prep: Simple cleansing with betadine. Skin closed with 6 1-0 Prolene using Staple gun. Dressed with pressure dressing. Patient tolerated well. — eeg

MDM:

11/19
09:27 MSE Initiated by Provider. — eeg

11/19
12:12 Differential diagnosis: abrasion, closed head injury, concussion, contusion, dislocation, fracture, laceration, multiple trauma, sprain, Substance abuse. Data reviewed: vital signs, nurses notes, lab test result(s), radiologic studies. Data interpreted: Cardiac monitor: Normal rate. Counseling: I had a detailed discussion with the patient and/or guardian regarding: the historical points, exam findings, and any diagnostic results supporting the discharge/admit diagnosis, lab results, radiology results, the need for outpatient follow up, to return to the emergency department if symptoms worsen or persist or if there are any questions or concerns that arise at home. Response to treatment: the patient's symptoms have markedly improved after treatment. — eeg

11/19
09:46 Order name: POC GLU; Complete Time: 09:57 — EDMS

11/19
09:56 Order name: CMP; Complete Time: 10:53 — eeg

11/19
09:56 Order name: Complete Blood Count W/auto Diff; Complete Time: 10:53 — eeg

11/19
09:56 Order name: Thyroid Stimulating Hormone; Complete Time: 10:53 — eeg

11/19

11/19/17 12:14 Discharged to Home. Impression: Head Laceration/ Open wound of head, Hyperglycemia, unspecified.
- Condition is Stable.
- Discharge Instructions: Head Injury, Adult, Facial Laceration, Hyperglycemia, Easy-to-Read, Stitches, Staples, or Adhesive Wound Closure, Easy-to-Read.

- Medication Reconciliation form.
- Follow up: Private Physician; When: 2 - 3 days; Reason: Wound Recheck.
- Problem is new.
- Symptoms have improved.

Order Results:
Lab Order: POC GLU; SPEC'M 11/19/17 09:46
Test: POC GLU; Value: 435; Range: 65-100; Abnormal: Above high normal; Units: MG/DL; Status: F; Updated: 11/19 09:46
Lab Order: CMP; SPEC'M 11/19/17 10:11
Test: SODIUM; Value: 131; Range: 135-145; Abnormal: Below low normal; Units: MMOL/L; Status: F; Updated: 11/19 10:24
Test: POTASSIUM; Value: 4.4; Range: 3.5-5.0; Abnormal: ; Units: MMOL/L; Status: F; Updated: 11/19 10:24
Test: CHLORIDE; Value: 96; Range: 98-109; Abnormal: Below low normal; Units: MMOL/L; Status: F; Updated: 11/19 10:24
Test: CARBON DIOXIDE; Value: 26; Range: 20-30; Abnormal: ; Units: MMOL/L; Status: F; Updated: 11/19 10:24
Test: ANION GAP; Value: 9.0; Range: 1-10; Abnormal: ; Status: F; Updated: 11/19 10:24
Test: CALCIUM; Value: 9.0; Range: 8.5-10.3; Abnormal: ; Units: MG/DL; Status: F; Updated: 11/19 10:24
Test: BLOOD UREA NITROGEN; Value: 7; Range: 5-25; Abnormal: ; Units: MG/DL; Status: F; Updated: 11/19 10:34
Test: CREATININE; Value: 1.01; Range: 0.90-1.30; Abnormal: ; Units: MG/DL; Status: F; Updated: 11/19 10:34
Test: GLOMERULAR FILTRATION RATE; Value: 102; Abnormal: ; Status: F; Updated: 11/19 10:34
Test Note: 11/19 10:34 T nbsp;; Non-African American
Test: GLOMERULAR FILTRATION RATE-AA; Value: 118; Abnormal: ; Status: F; Updated: 11/19 10:34
Test Note: 11/19 10:34 T nbsp;; African American. eGFR UNITS: ml/min/1.73m2. *eGFR >= 60 = Normal GFR or mild decrease in GFR *eGFR 30-59 = Moderate decrease in GFR (Stage 3 CKD) *eGFR 15-29 = Severe decrease in GFR (Stage 4 CKD) *eGFR <15 = End-stage kidney failure (Stage 5 CKD) The equation has not been validated in patients >70 YRS OLD.
Test: TOTAL PROTEIN; Value: 7.8; Range: 6.0-8.0; Abnormal: ; Units: G/DL; Status: F; Updated: 11/19 10:34

Test: ALBUMIN; Value: 4.3; Range: 3.2-5.5; Abnormal: ; Units: G/DL; Status: F; Updated: 11/19 10:34
Test: ALB/GLOB RATIO; Value: 1.2; Range: 1.2-1.7; Abnormal: ; Units: RATIO; Status: F; Updated: 11/19 10:34
Test: GLOBULIN; Value: 3.5; Range: 2.5-3.9; Abnormal: ; Units: G/DL;

Status: F; Updated: 11/19 10:34
Test: BILIRUBIN, TOTAL; Value: 0.50; Range: 0.20-1.00; Abnormal: ;
Units: MG/DL; Status: F; Updated: 11/19 10:34
Test: SGOT/AST; Value: 27; Range: 10-42; Abnormal: ; Units: IU/L;
Status: F; Updated: 11/19 10:34
Test: SGPT/ALT; Value: 21; Range: 10-60; Abnormal: ; Units: IU/L;
Status: F; Updated: 11/19 10:34
Test: ALKALINE PHOSPHATASE; Value: 74; Range: 42-121; Abnormal: ;
Units: IU/L; Status: F; Updated: 11/19 10:34
Test: GLUCOSE, SERUM; Value: 459; Range: 65-100; Abnormal: Above
upper panic limits; Units: MG/DL; Status: F; Updated: 11/19 10:39
Test Note: 11/19 10:39 T nbsp;; CRITICAL RESULTS CALLED ON 11/19/17 AT
1035 TO: RINDY LAPRADE/RB/CALLED X 2 SNCE 1035 BY: CLIFTON,LYDIA C
Lab Order: Complete Blood Count W/auto Diff; SPEC'M 11/19/17 10:11
Test: WHITE BLOOD CELL; Value: 11.6; Range: 4.5-11.0; Abnormal: Above
high normal; Units: K/UL; Status: F; Updated: 11/19 10:18
Test: RED BLOOD CELL; Value: 5.32; Range: 4.50-5.90; Abnormal: ;
Units: M/UL; Status: F; Updated: 11/19 10:18
Test: HEMOGLOBIN; Value: 15.8; Range: 14.0-17.5; Abnormal: ; Units:
G/DL; Status: F; Updated: 11/19 10:18
Test: HEMATOCRIT; Value: 46.0; Range: 35.0-49.0; Abnormal: ; Units:
%; Status: F; Updated: 11/19 10:18
Test: MEAN CELL VOLUME; Value: 86.5; Range: 80-96; Abnormal: ; Units:
UM3; Status: F; Updated: 11/19 10:18
Test: MCH; Value: 29.7; Range: 27-32; Abnormal: ; Units: PG; Status:
F; Updated: 11/19 10:18
Test: MCHC; Value: 34.3; Range: 32-37; Abnormal: ; Units: G/DL;
Status: F; Updated: 11/19 10:18
Test: RELL CELL DISTRIBUTION WIDTH; Value: 13.1; Range: 11.5-14.5;
Abnormal: ; Units: %; Status: F; Updated: 11/19 10:18
Test: RDW STANDARD DEVIATION; Value: 41.1; Range: 35.1-43.9;
Abnormal: ; Units: fl; Status: F; Updated: 11/19 10:18
Test: PLATELETS; Value: 241; Range: 140-440; Abnormal: ; Units: K/UL;
Status: F; Updated: 11/19 10:18
Test: MEAN PLATELET VOLUME; Value: 10.8; Range: 7.4-10.4; Abnormal:
Above high normal; Units: fl; Status: F; Updated: 11/19 10:18
Test: SEGMENTED NEUTROPHIL PERCENT; Value: 84; Range: 37-80;
Abnormal: Above high normal; Units: %; Status: F; Updated: 11/19 10:18
Test: SEGMENTED NEUTROPHIL ABSOLUTE; Value: 9.77; Range: 1.5-6.8;
Abnormal: Above high normal; Units: K/UL; Status: F; Updated: 11/19
10:18
Test: LYMPHOCYTE PERCENT; Value: 10; Range: 10-50; Abnormal: ; Units:
%; Status: F; Updated: 11/19 10:18
Test: LYMPHOCYTES ABSOLUTE; Value: 1.10; Range: 1.0-4.0; Abnormal: ;
Units: K/UL; Status: F; Updated: 11/19 10:18
Test: MONOCYTE PERCENT; Value: 6; Range: 0-12; Abnormal: ; Units: %;
Status: F; Updated: 11/19 10:18
Test: MONOCYTE ABSOLUTE COUNT; Value: 0.64; Range: 0.2-1.0; Abnormal:

; Units: K/UL; Status: F; Updated: 11/19 10:18
Test: EOSINOPHIL PERCENT; Value: 0; Range: 0-7; Abnormal: ; Units: %;
Status: F; Updated: 11/19 10:18
Test: EOSINOPHIL ABSOLUTE; Value: 0.05; Range: 0.0-0.5; Abnormal: ;
Units: K/UL; Status: F; Updated: 11/19 10:18
Test: BASOPHIL PERCENT; Value: 0; Range: 0-2; Abnormal: ; Units: %;

Status: F; Updated: 11/19 10:18
Test: BASOPHIL ABSOLUTE; Value: 0.04; Range: 0.0-0.2; Abnormal: ;
Units: K/UL; Status: F; Updated: 11/19 10:18
Test: IMMATURE GRANS PERCENT; Value: 0.3; Abnormal: ; Units: %;
Status: F; Updated: 11/19 10:18
Test: IMMATURE GRANS ABSOLUTE; Value: 0.0; Range: 0.0-0.1; Abnormal:
; Status: F; Updated: 11/19 10:18
Lab Order: Thyroid Stimulating Hormone; SPEC'M 11/19/17 10:11
Test: THYROID STIMULATING HORMONE; Value: 1.29; Range: 0.34-5.60;
Abnormal: ; Units: uIU/ML; Status: F; Updated: 11/19 10:48
Lab Order: POC GLU; SPEC'M 11/19/17 10:13
Test: POC GLU; Value: 429; Range: 65-100; Abnormal: Above high
normal; Units: MG/DL; Status: F; Updated: 11/19 10:13

Radiology Order: Chest 1 View - Portable
Test: Chest 1 View - Portable
SOVAH HEALTH - MARTINSVILLE Name: HILL,BRIAN D ; RADIOLOGY DEPT Phys:
EKUBAN-GORDON,EDNA MD ; 320 HOSPTIAL DR DOB: 05/26/1990 Age: 27 Sex:
M ; MARTINSVILLE, VA 24112 Acct: MM7805836274 Loc: MM.ER ; PHONE #:
276-666-7223 Exam Date: 11/19/2017 Status: DEP ER ; FAX #:
276-666-7591 Radiology No: ; Unit No: MM00370912 ; EXAMS: EXAM
REASON: ; 000898111 CHEST 1 VIEW - PORTABLE Chest Tightness ;
PORTABLE CHEST ; HISTORY: Seizure. ; COMPARISON: 11/10/2015 ;
FINDINGS: The heart size and configuration are within normal limits ;
for age and portable technique. The lungs are clear. There is no ;
evidence of pleural effusions or pneumothorax. No acute bony ;
abnormality. ; IMPRESSION: No evidence of acute cardiopulmonary
disease. ; ** Electronically Signed by MAROON B KHOURY on 11/19/2017
at 1424 ** ; Reported by: DR. MAROON B KHOURY ; Signed by:
KHOURY,MAROON B ; ; CC: EDNA EKUBAN-GORDON MD ; ; Technologist: KYLEA
ANN KEATTS ; Transcribed Date/Time: 11/19/2017 (1146) ;
Transcriptionist: MMTRSPSB ; Orig Print D/T: S: 11/19/2017 (1424) ;
Reprint D/T: 11/19/2017 (1424) BATCH NO: N/A ;
Radiology Order: CT Head w/o Contrast
Test: CT Head w/o Contrast
SOVAH HEALTH - MARTINSVILLE Name: HILL,BRIAN D ; RADIOLOGY DEPT Phys:
EKUBAN-GORDON,EDNA MD ; 320 HOSPTIAL DR DOB: 05/26/1990 Age: 27 Sex:
M ; MARTINSVILLE, VA 24112 Acct: MM7805836274 Loc: MM.ER ; PHONE #:
276-666-7223 Exam Date: 11/19/2017 Status: DEP ER ; FAX #:
276-666-7591 Radiology No: ; Unit No: MM00370912 ; EXAMS: EXAM
REASON: ; 000898114 CT HEAD W/O CONTRAST ; UNENHANCED HEAD CT ;
HISTORY: Head injury. ; COMPARISON: 11/10/2015 ; TECHNIQUE: This CT
examination was performed using one or more of the ; following dose
reduction techniques: automated exposure control, ; adjustment of the
MA and/or KV according to patient size, and/or use ; of iterative
reconstruction techniques. ; Axial CT images were obtained through
the brain without the use of ; intravenous contrast. ; FINDINGS:

There is no evidence of acute infarct, intracranial ; hemorrhage, or
mass effect. Ventricles and sulci are normal for the ; patient's age.
Calvarium is intact. Visualized portions of the ; paranasal sinuses
and orbits are normal. ; IMPRESSION: Negative for acute intracranial
process. ; ** Electronically Signed by MAROON B KHOURY on 11/19/2017
at 1424 ** ; Reported by: DR. MAROON B KHOURY ; Signed by:
KHOURY,MAROON B ; ; CC: EDNA EKUBAN-GORDON MD ; ; Technologist:

HILL,BRIAN D
MM7805836274 PRE ER MM.ER
11/19/17 0850 UNKNOWN,UNKNOWN
DOB:05/26/90 27 M MR# MM00370912
Sovah Health - Martinsville

Sovah Health Martinsville

320 Hospital Drive
Martinsville, VA 24112
276-666-7237

11/9/67
97
98%
18

Emergency Department Instructions for: **Hill, Brian D**

Arrival Date: **Sunday, November 19, 2017**

Thank you for choosing **Sovah Health Martinsville** for your care today. The examination and treatment you have received in the Emergency Department today have been rendered on an emergency basis only and are not intended to be a substitute for an effort to provide complete medical care. You should contact your follow-up physician as it is important that you let him or her check you and report any new or remaining problems since it is impossible to recognize and treat all elements of an injury or illness in a single emergency care center visit.

Care provided by: Ekuban-Gordon, Edna, MD

Diagnosis: Head Laceration/ Open wound of head; Hyperglycemia, unspecified

DISCHARGE INSTRUCTIONS	FORMS
Head Injury, Adult Facial Laceration Hyperglycemia, Easy-to-Read Stitches, Staples, or Adhesive Wound Closure, Easy-to-Read	Medication Reconciliation
FOLLOW UP INSTRUCTIONS	**PRESCRIPTIONS**
Private Physician When: 2 - 3 days; Reason: Wound Recheck	None
SPECIAL NOTES	
None	

Suicide National Hotline: 1-800-273-8255 (800-273-TALK)

If you received a narcotic or sedative medication during your Emergency Department stay you should not drive, drink alcohol or operate heavy machinery for the next 8 hours as this medication can cause drowsiness, dizziness, and decrease your response time to events.

I hereby acknowledge that I have received a copy of my transition care record and understand the above instructions and prescriptions.

Brian D. Hill

Brian Hill
MRN # MM00370912

Bell Thornton, RN

ED Physician or Nurse
11/19/2017 12:14

X-RAYS and LAB TESTS:
If you had x-rays today they were read by the emergency physician. Your x-rays will also be read by a radiologist within 24 hours. If you

had a culture done it will take 24 to 72 hours to get the results. If there is a change in the x-ray diagnosis or a positive culture, we will contact you. Please verify your current phone number prior to discharge at the check out desk.

MEDICATIONS:
If you received a prescription for medication(s) today, it is important that when you fill this you let the pharmacist know all the other medications that you are on and any allergies you might have. It is also important that you notify your follow-up physician of all your medications including the prescriptions you may receive today.

TESTS AND PROCEDURES

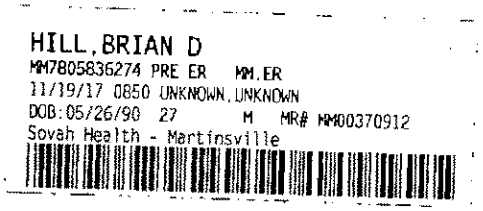
Labs
CMP, Complete Blood Count W/auto Diff, Thyroid Stimulating Hormone, POC GLU, POC GLU

Rad
CT Head w/o Contrast, Chest 1 View - Portable

Procedures
Blood Sugar, 12 Lead EKG, Laceration

Other
Seizure precautions, Accucheck, Cardiac Monitor, Apply to Pt, Pulse ox continuous, Oxygen at 2 L/NC, IV saline lock, EKG ED, Laceration repair set up

Chart Copy



EMERGENCY DEPARTMENT RECORD
Nurse's Notes
Sovah Health Martinsville
Name: Brian Hill
Age: 27 yrs
Sex: Male
DOB: 05/26/1990
MRN: MM00370912
Arrival Date: 11/19/2017
Time: 08:51
Account#: MM7805836274
Bed ER 6
Private MD:
Diagnosis: Head Laceration/ Open wound of head;Hyperglycemia, unspecified

Presentation:
11/19
09:08 Presenting complaint: Patient states: had a seizure this morning due to low blood sugar, laceration to head per pt, bleeding controlled. Airway is patent with good air movement. The patient is breathing without difficulty. The patient is pink,warm and dry. Heart rate is within normal limits. Patient is alert and oriented to person, place and time, Patient is moving all extremities appropriately. ll
11/19
09:08 Acuity: Urgent (3) ll

Historical:
- Allergies: Ranitidine;
- Home Meds:
1. Unable to Obtain
- PMHx: OCD; autism; Diabetes - IDDM;
- Sepsis Screening:: Sepsis screening negative at this time.
- Social history:: Tobacco Status: The patient states he/she has never used tobacco. The patient's primary language is English. The patient's preferred language is English.
- Family history:: Reviewed and not pertinent.
- Exposure Risk/Travel Screening:: Patient has not been out of the country in last 30 days. Have you been in contact with anyone who is ill that has traveled outside of the country in the last 30 days? No.
- Suicide Screening:: Have you recently had thoughts about hurting yourself or others? No.
- Tuberculosis screening:: No symptoms or risk factors identified.

Screening:
11/19
09:41 Fall Risk: Total Points: Med. Risk (25-44);. Abuse Screen: Patient verbally denies physical, verbal and emotional abuse/neglect. There are no cultural/spiritual considerations for care for this patient. mkk

Assessment:
11/19

09:38 Complains of pain in face Pain does not radiate. Pain currently is 7 mkk

out of 10 on a pain scale. The level of pain that is acceptable is 0 out of 10 on a pain scale. General: Appears in no apparent distress, comfortable, well developed, well nourished, well groomed, Behavior is appropriate for age, cooperative, pleasant. Neuro: Reports headache. Neuro: Reports seizure due to low blood sugar. EENT: Denies. Cardiovascular: Denies. Respiratory: Denies. GI: Denies. GU: Denies. Derm: Denies. Musculoskeletal: Denies. Injury Description: Laceration sustained to face is clean, 0.5 to 2.5 cm long, not bleeding, was sustained 4-6 hours ago.

11/19
09:38 Method Of Arrival: EMS mkk

Vital Signs:

11/19
09:08 BP 131 / 76; Pulse 118; Resp 20; Temp 98.2; Pulse Ox 97% ; Weight 91.63 kg; Height 5 ft. 10 in. (177.80 cm); ll

11/19
09:46 mkk

11/19
10:59 BP 124 / 73; Pulse 93; Resp 18; Pulse Ox 100% on R/A; mkk

11/19
12:57 BP 119 / 67; Pulse 97; Resp 19; Pulse Ox 98% on R/A; pt3

11/19
09:08 Body Mass Index 28.98 (91.63 kg, 177.80 cm) ll

11/19
09:46 patient has OCD and had to do his "routines" prior to coming, has been about 4 hours since injury occured mkk

Glasgow Coma Score:

11/19
12:16 Eye Response: spontaneous(4). Verbal Response: oriented(5). Motor Response: obeys commands(6). Total: 15. eeg

ED Course:

11/19
08:51 Patient arrived in ED. knm

11/19
09:09 Rapid Initial Assessment completed. ll

11/19
09:27 Ekuban-Gordon, Edna, MD is Attending Physician. eeg

11/19
09:41 Patient has correct armband on for positive identification. Placed in gown. Bed in low position. Call light in reach. Side rails up X2. Adult with patient. Seizure precautions initiated. NIBP on. Pulse ox on. mkk

11/19
09:41 No physician assisted procedures were completed. mkk

11/19
10:01 Inserted saline lock: 20 gauge right arm blood drawn from IV and sent to lab per order. mkk

11/19
10:08 EKG Done By ED Tech 10:06 Reviewed by Physician Edna Ekuban-Gordon MD.bh

11/19
10:40 Critical Lab Value: Patient Name verified: Brian Hill, Patient DOB ll

Verified May 26, 1990 Critical value glucose 459reported read back to reporting lab personnel, and reported to Dr. Edna Ekuban-Gordon MD.
11/19
10:59 Assist provider with laceration repair Set up tray. mkk
11/19
11:53 Troncoso, Priscilla, RN is Primary Nurse. pt3

Administered Medications:
11/19
10:59 Drug: NS 0.9% 1000 ml Route: IV; Rate: 999 mL/hr; Site: right arm; mkk
11/19
12:59 Follow up: Response: No adverse reaction; IV Status: Completed infusion pt3
11/19
11:02 Drug: NovoLIN R 7 units {Co-Signature: mkk (Michaela Karet RN).} Route: IVP; Site: right arm; ll
11/19
12:58 Follow up: Response: No adverse reaction pt3

Point of Care Testing:
Blood Glucose:
11/19
09:40 Glucose Value: 489; mkk
11/19
09:43 Glucose Value: 435; mkk
11/19
09:40 test repeated mkk
Ranges:

Output:
11/19
11:28 Urine: 600ml (Voided); Total: 600ml. dab

Outcome:
11/19
12:14 Discharge ordered by Provider. eeg
11/19
12:57 Discharged to home ambulatory, with family. pt3
12:57 Instructions given to patient, parent, Instructed on discharge instructions. follow up and referral plans. . Patient and/or family voiced understanding of instructions using teach back method.
12:57 The patients' shirt, pants, shoes, socks and underwear were sent with the patient.
12:57 Discharge Assessment: Patient
12:57 Discharge Assessment: Patient has no functional deficits.
12:57 Discontinued IV lock intact, bleeding controlled, pressure dressing applied, No redness/swelling at site.
11/19
13:24 Patient left the ED. jkp

Signatures:
Harrison, Rindi, RN RN ll
Ekuban-Gordon, Edna, MD MD eeg

EMERGENCY DEPARTMENT RECORD
Physician Documentation
Sovah Health Martinsville
Name: Brian Hill
Age: 27 yrs
Sex: Male
DOB: 05/26/1990
MRN: MM00370912
Arrival Date: 11/19/2017
Time: 08:51
Account#: MM7805836274
Bed ER 6
Private MD:
ED Physician Ekuban-Gordon, Edna
HPI:
11/19
11:49 This 27 yrs old White Male presents to ER via EMS with complaints of Fall Injury. eeg
11/19
11:49 Onset: The symptoms/episode began/occurred today. Associated injuries: The patient sustained injury to the head. Associated signs and symptoms: Loss of consciousness: the patient experienced no loss of consciousness. Severity of symptoms: in the emergency department the symptoms are unchanged. Pain Management: Patient denies pain. The patient has experienced similar episodes in the past, a few times. The patient has not recently seen a physician. Family report history of low blood sugar, general low will have seizure episode when the blood sugar is low. Blood sugar was obtained by mom at 20 repeat 40 was subsequently given some oral glucose and brought here for further evaluation. Patient denies any headache palpitation no neck pain and stiffness. Admits to feeling like himself.. eeg

Historical:
- Allergies: Ranitidine;
- Home Meds:
1. Unable to Obtain
- PMHx: OCD; autism; Diabetes - IDDM;
- Sepsis Screening:: Sepsis screening negative at this time.
- Social history:: Tobacco Status: The patient states he/she has never used tobacco. The patient's primary language is English. The patient's preferred language is English.
- Family history:: Reviewed and not pertinent.
- Exposure Risk/Travel Screening:: Patient has not been out of the country in last 30 days. Have you been in contact with anyone who is ill that has traveled outside of the country in the last 30 days? No.
- Suicide Screening:: Have you recently had thoughts about hurting yourself or others? No.
- Tuberculosis screening:: No symptoms or risk factors identified.
- The history from nurses notes was reviewed: and I agree with what is documented up to this point.

ROS:

11/19
11:52 Eyes: Negative for injury, pain, redness, and discharge, ENT: eeg
Negative for injury, pain, and discharge, Neck: Negative for injury, pain, and swelling, Cardiovascular: Negative for chest pain, palpitations, and edema, Respiratory: Negative for shortness of breath, cough, wheezing, and pleuritic chest pain, Abdomen/GI: Negative for abdominal pain, nausea, vomiting, diarrhea, and constipation, Back: Negative for injury and pain, MS/Extremity: Negative for injury and deformity. All other systems are negative, except as documented below. Skin: Positive for laceration(s), of the face. Neuro: Negative for dizziness, headache, weakness. Psych: Negative for depression, alcohol dependence, homicidal ideation, suicide gesture.

Exam:
11/19
11:53 Eyes: Pupils equal round and reactive to light, extra-ocular motions eeg intact. Lids and lashes normal. Conjunctiva and sclera are non-icteric and not injected. Cornea within normal limits. Periorbital areas with no swelling, redness, or edema. ENT: Nares patent. No nasal discharge, no septal abnormalities noted. Tympanic membranes are normal and external auditory canals are clear. Oropharynx with no redness, swelling, or masses, exudates, or evidence of obstruction, uvula midline. Mucous membrane moist Neck: Trachea midline, no thyromegaly or masses palpated, and no cervical lymphadenopathy. Supple, full range of motion without nuchal rigidity, or vertebral point tenderness. No Meningismus. Chest/axilla: Normal chest wall appearance and motion. Nontender with no deformity. No lesions are appreciated. Cardiovascular: Regular rate and rhythm with a normal S1 and S2. ,no jvd No pulse deficits. Respiratory: Lungs have equal breath sounds bilaterally, clear to auscultation and percussion. No rales, rhonchi or wheezes noted. No increased work of breathing, no retractions or nasal flaring. Abdomen/GI: Soft, non-tender, with normal bowel sounds. No distension or tympany. No guarding or rebound. No evidence of tenderness throughout. Back: No spinal tenderness. No costovertebral tenderness. Full range of motion. MS/ Extremity: Pulses equal, no cyanosis. Neurovascular intact. Full, normal range of motion. Neuro: Awake and alert, GCS 15, oriented to person, place, time, and situation. Cranial nerves II-XII grossly intact. Motor strength 5/5 in all extremities. Sensory grossly intact. Cerebellar exam normal. Normal gait., slow, but appropriate Psych: Awake, alert, with orientation to person, place and time. Behavior, mood, and affect are within normal limits.
11:53 Constitutional: The patient appears alert, awake, non-diaphoretic.
11:53 Head/face: Noted is a laceration(s), that is linear, 3 cm(s).
11:53 Musculoskeletal/extremity: Extremities: all appear grossly normal, with no appreciated pain with palpation, ROM: intact in all extremities, Circulation is intact in all extremities. Sensation intact.
11:53 Psych: Behavior/mood is cooperative.

Vital Signs:
11/19

RUN DATE:11/23/17

DISCHARGE SUMMARY FOR MEDICAL RECORDS FOR LABORATORY

Patient: HILL,BRIAN D #MM7805836274 **(Continued)**

**********CHEMISTRY**********

Date / Time	11/19/17 1007			Reference	Units
BUN	7			(5-25)	MG/DL
CREATININE	1.01			(0.90-1.30)	MG/DL
eGFR NON-AA	102(A)				
eGFR AA	118(B)				
SODIUM	131 L			(135-145)	MMOL/L
POTASSIUM	4.4			(3.5-5.0)	MMOL/L
CHLORIDE	96 L			(98-109)	MMOL/L
CO2	26			(20-30)	MMOL/L
ANION GAP	9.0			(1-10)	
GLUCOSE	459(C) *H			(65-100)	MG/DL
CALCIUM	9.0			(8.5-10.3)	MG/DL
TOTAL PROTEIN	7.8			(6.0-8.0)	G/DL
ALBUMIN	4.3			(3.2-5.5)	G/DL
AG	1.2			(1.2-1.7)	RATIO
GLOBULIN	3.5			(2.5-3.9)	G/DL
T BILI	0.50			(0.20-1.00)	MG/DL
SGOT/AST	27			(10-42)	IU/L
SGPT/ALT	21			(10-60)	IU/L
ALK PHOS	74			(42-121)	IU/L
TSH	1.29			(0.34-5.60)	uIU/ML

(A) Non-African American

(B) African American.
eGFR UNITS: ml/min/1.73m2.
*eGFR >= 60 = Normal GFR or mild decrease in GFR
*eGFR 30-59 = Moderate decrease in GFR (Stage 3 CKD)
*eGFR 15-29 = Severe decrease in GFR (Stage 4 CKD)
*eGFR <15 = End-stage kidney failure (Stage 5 CKD)

The equation has not been validated in patients >70 YRS OLD.

(C) CRITICAL RESULTS CALLED ON 11/19/17
AT 1035 TO: RINDY LAPRADE/RB/CALLED X 2 SNCE 1035
BY: CLIFTON,LYDIA C

Patient: HILL,BRIAN D **Age/Sex:** 27/M **Acct#**MM7805836274 **Unit#**MM00370912

SOVAH HEALTH - MARTINSVILLE
RADIOLOGY DEPT
320 HOSPTIAL DR
MARTINSVILLE, VA 24112
PHONE #: 276-666-7223
FAX #: 276-666-7591

Name: HILL,BRIAN D
Phys: EKUBAN-GORDON,EDNA MD
DOB: 05/26/1990 Age: 27 Sex: M
Acct: MM7805836274 Loc: MM.ER
Exam Date: 11/19/2017 Status: DEP ER
Radiology No:
Unit No: MM00370912

EXAMS:
000898111 CHEST 1 VIEW - PORTABLE

EXAM REASON:
Chest Tightness

PORTABLE CHEST

HISTORY: Seizure.

COMPARISON: 11/10/2015

FINDINGS: The heart size and configuration are within normal limits for age and portable technique. The lungs are clear. There is no evidence of pleural effusions or pneumothorax. No acute bony abnormality.

IMPRESSION: No evidence of acute cardiopulmonary disease.

** Electronically Signed by MAROON B KHOURY on 11/19/2017 at 1424 **
Reported by: DR. MAROON B KHOURY
Signed by: KHOURY,MAROON B

CC: EDNA EKUBAN-GORDON MD

Technologist: KYLEA ANN KEATTS
Transcribed Date/Time: 11/19/2017 (1146)
Transcriptionist: MMTRSPSB
Orig Print D/T: S: 11/19/2017 (1424)
BATCH NO: N/A

PAGE 1 Signed Report

HILL, BRIAN ID: 000370912 19-Nov-2017 10:06:44 Memorial Hospital of Martinsville

27years
Male Caucasian

Room:
Loc: 15

Vent. rate	105 bpm
PR interval	158 ms
QRS duration	92 ms
QT/QTc	328/433 ms
P-R-T axes	64 64 52

Sinus tachycardia
Possible Left atrial enlargement
Borderline ECG

(007)
Bed 6

T HILL,BRIAN D
MM7805836274 PRE ER MM.ER
11/19/17 0850 UNKNOWN,UNKNOWN
DOB:05/26/90 27 M MR# MM0037091Z
Sovah Health - Martinsville

Visit: MM7805836274
Secondary ID: MM216937
Referred by: EKUBAN-GORDON, EDNA

Order no.: 211090013
Unconfirmed

CHEST PAIN

I aVR V1 V4
II aVL V2 V5
III aVF V3 V6
II

100 Hz 25.0 mm/s 10.0 mm/mV 4 by 2.5s + 1 rhythm ld MAC55 010B 12SL™v241 HD

P/N 2009626-024

EKG Scanned Page 1/1 Job:12468 (07/02/2019 14:03) Page 35 Doc# 1

SOVAH HEALTH - MARTINSVILLE
320 HOSPITAL DRIVE - P.O. BOX 4788
MARTINSVILLE, VA 24112 (276)666-7360
CLIA NO. 49D0231853 RT CLIA NO. 4D0661287

RUN DATE:11/23/17

DISCHARGE SUMMARY FOR MEDICAL RECORDS FOR LABORATORY

CMAX: MM00370912~MM7805836274~LABDATA~20171123~LABDISMM1001869144~COCMMH~COCVAE~LAB.COCMMH~

PATIENT: HILL,BRIAN D		**ACCT #:** MM7805836274	**LOC:** MM.ER	**U #:** MM00370912
		AGE/SX: 27/M	**ROOM:**	**REG:** 11/19/17
REG DR: EKUBAN-GORDON,EDNA MD		**DOB:** 05/26/90	**BED:**	**DIS:**
		STATUS: DEP ER	**TLOC:**	

**********POINT OF CARE**********

Date	----------11/19/17----------			
Time	1006	0943	Reference	Units
POC GLU	429 H	435 H	(65-100)	MG/DL

**********HEMATOLOGY**********

Date	11/19/17		
Time	1007	Reference	Units
WBC	11.6 H	(4.5-11.0)	K/UL
RBC	5.32	(4.50-5.90)	M/UL
HGB	15.8	(14.0-17.5)	G/DL
HCT	46.0	(35.0-49.0)	%
MCV	86.5	(80-96)	UM3
MCH	29.7	(27-32)	PG
MCHC	34.3	(32-37)	G/DL
RDW	13.1	(11.5-14.5)	%
RDW-SD	41.1	(35.1-43.9)	fl
PLT	241	(140-440)	K/UL
MPV	10.8 H	(7.4-10.4)	fl
SEGS %	84 H	(37-80)	%
SEG ABSOLUTE	9.77 H	(1.5-6.8)	K/UL
LYMPH %	10	(10-50)	%
LYMPH ABSOLUTE	1.10	(1.0-4.0)	K/UL
MONO %	6	(0-12)	%
MONO ABSOLUTE	0.64	(0.2-1.0)	K/UL
EOS %	0	(0-7)	%
EOS ABSOLUTE	0.05	(0.0-0.5)	K/UL
BASO %	0	(0-2)	%
BASO ABSOLUTE	0.04	(0.0-0.2)	K/UL
IG %	0.3		%
IG ABSOLUTE	0.0	(0.0-0.1)	

09:08 BP 131 / 76; Pulse 118; Resp 20; Temp 98.2; Pulse Ox 97% ; Weight 91.63 kg; Height 5 ft. 10 in. (177.80 cm); — ll

11/19

09:46 — mkk

11/19

10:59 BP 124 / 73; Pulse 93; Resp 18; Pulse Ox 100% on R/A; — mkk

11/19

12:57 BP 119 / 67; Pulse 97; Resp 19; Pulse Ox 98% on R/A; — pt3

11/19

09:08 Body Mass Index 28.98 (91.63 kg, 177.80 cm) — ll

11/19

09:46 patient has OCD and had to do his "routines" prior to coming, has been about 4 hours since injury occured — mkk

Glasgow Coma Score:

11/19

12:16 Eye Response: spontaneous(4). Verbal Response: oriented(5). Motor Response: obeys commands(6). Total: 15. — eeg

Laceration:

11/19

12:11 Wound Repair of 3cm (1.2in) subcutaneous laceration to forehead. Linear shaped.. No foreign body noted. Distal neuro/vascular/tendon intact. Anesthesia: Wound infiltrated with 3 mls of 1% lidocaine w/ Epi. Wound prep: Simple cleansing with betadine. Skin closed with 6 1-0 Prolene using Staple gun. Dressed with pressure dressing. Patient tolerated well. — eeg

MDM:

11/19

09:27 MSE Initiated by Provider. — eeg

11/19

12:12 Differential diagnosis: abrasion, closed head injury, concussion, contusion, dislocation, fracture, laceration, multiple trauma, sprain, Substance abuse. Data reviewed: vital signs, nurses notes, lab test result(s), radiologic studies. Data interpreted: Cardiac monitor: Normal rate. Counseling: I had a detailed discussion with the patient and/or guardian regarding: the historical points, exam findings, and any diagnostic results supporting the discharge/admit diagnosis, lab results, radiology results, the need for outpatient follow up, to return to the emergency department if symptoms worsen or persist or if there are any questions or concerns that arise at home. Response to treatment: the patient's symptoms have markedly improved after treatment. — eeg

11/19

09:46 Order name: POC GLU; Complete Time: 09:57 — EDMS

11/19

09:56 Order name: CMP; Complete Time: 10:53 — eeg

11/19

09:56 Order name: Complete Blood Count W/auto Diff; Complete Time: 10:53 — eeg

11/19

09:56 Order name: Thyroid Stimulating Hormone; Complete Time: 10:53 — eeg

11/19

11/19/17 12:14 Discharged to Home. Impression: Head Laceration/ Open wound of head, Hyperglycemia, unspecified.
- Condition is Stable.
- Discharge Instructions: Head Injury, Adult, Facial Laceration, Hyperglycemia, Easy-to-Read, Stitches, Staples, or Adhesive Wound Closure, Easy-to-Read.

- Medication Reconciliation form.
- Follow up: Private Physician; When: 2 - 3 days; Reason: Wound Recheck.
- Problem is new.
- Symptoms have improved.

Order Results:
Lab Order: POC GLU; SPEC'M 11/19/17 09:46
Test: POC GLU; Value: 435; Range: 65-100; Abnormal: Above high normal; Units: MG/DL; Status: F; Updated: 11/19 09:46
Lab Order: CMP; SPEC'M 11/19/17 10:11
Test: SODIUM; Value: 131; Range: 135-145; Abnormal: Below low normal; Units: MMOL/L; Status: F; Updated: 11/19 10:24
Test: POTASSIUM; Value: 4.4; Range: 3.5-5.0; Abnormal: ; Units: MMOL/L; Status: F; Updated: 11/19 10:24
Test: CHLORIDE; Value: 96; Range: 98-109; Abnormal: Below low normal; Units: MMOL/L; Status: F; Updated: 11/19 10:24
Test: CARBON DIOXIDE; Value: 26; Range: 20-30; Abnormal: ; Units: MMOL/L; Status: F; Updated: 11/19 10:24
Test: ANION GAP; Value: 9.0; Range: 1-10; Abnormal: ; Status: F; Updated: 11/19 10:24
Test: CALCIUM; Value: 9.0; Range: 8.5-10.3; Abnormal: ; Units: MG/DL; Status: F; Updated: 11/19 10:24
Test: BLOOD UREA NITROGEN; Value: 7; Range: 5-25; Abnormal: ; Units: MG/DL; Status: F; Updated: 11/19 10:34
Test: CREATININE; Value: 1.01; Range: 0.90-1.30; Abnormal: ; Units: MG/DL; Status: F; Updated: 11/19 10:34
Test: GLOMERULAR FILTRATION RATE; Value: 102; Abnormal: ; Status: F; Updated: 11/19 10:34
Test Note: 11/19 10:34 T nbsp;; Non-African American
Test: GLOMERULAR FILTRATION RATE-AA; Value: 118; Abnormal: ; Status: F; Updated: 11/19 10:34
Test Note: 11/19 10:34 T nbsp;; African American. eGFR UNITS: ml/min/1.73m2. *eGFR >= 60 = Normal GFR or mild decrease in GFR *eGFR 30-59 = Moderate decrease in GFR (Stage 3 CKD) *eGFR 15-29 = Severe decrease in GFR (Stage 4 CKD) *eGFR <15 = End-stage kidney failure (Stage 5 CKD) The equation has not been validated in patients >70 YRS OLD.
Test: TOTAL PROTEIN; Value: 7.8; Range: 6.0-8.0; Abnormal: ; Units: G/DL; Status: F; Updated: 11/19 10:34

Test: ALBUMIN; Value: 4.3; Range: 3.2-5.5; Abnormal: ; Units: G/DL; Status: F; Updated: 11/19 10:34
Test: ALB/GLOB RATIO; Value: 1.2; Range: 1.2-1.7; Abnormal: ; Units: RATIO; Status: F; Updated: 11/19 10:34
Test: GLOBULIN; Value: 3.5; Range: 2.5-3.9; Abnormal: ; Units: G/DL;

Status: F; Updated: 11/19 10:34
Test: BILIRUBIN, TOTAL; Value: 0.50; Range: 0.20-1.00; Abnormal: ;
Units: MG/DL; Status: F; Updated: 11/19 10:34
Test: SGOT/AST; Value: 27; Range: 10-42; Abnormal: ; Units: IU/L;
Status: F; Updated: 11/19 10:34
Test: SGPT/ALT; Value: 21; Range: 10-60; Abnormal: ; Units: IU/L;
Status: F; Updated: 11/19 10:34
Test: ALKALINE PHOSPHATASE; Value: 74; Range: 42-121; Abnormal: ;
Units: IU/L; Status: F; Updated: 11/19 10:34
Test: GLUCOSE, SERUM; Value: 459; Range: 65-100; Abnormal: Above
upper panic limits; Units: MG/DL; Status: F; Updated: 11/19 10:39
Test Note: 11/19 10:39 T nbsp;; CRITICAL RESULTS CALLED ON 11/19/17 AT
1035 TO: RINDY LAPRADE/RB/CALLED X 2 SNCE 1035 BY: CLIFTON,LYDIA C
Lab Order: Complete Blood Count W/auto Diff; SPEC'M 11/19/17 10:11
Test: WHITE BLOOD CELL; Value: 11.6; Range: 4.5-11.0; Abnormal: Above
high normal; Units: K/UL; Status: F; Updated: 11/19 10:18
Test: RED BLOOD CELL; Value: 5.32; Range: 4.50-5.90; Abnormal: ;
Units: M/UL; Status: F; Updated: 11/19 10:18
Test: HEMOGLOBIN; Value: 15.8; Range: 14.0-17.5; Abnormal: ; Units:
G/DL; Status: F; Updated: 11/19 10:18
Test: HEMATOCRIT; Value: 46.0; Range: 35.0-49.0; Abnormal: ; Units:
%; Status: F; Updated: 11/19 10:18
Test: MEAN CELL VOLUME; Value: 86.5; Range: 80-96; Abnormal: ; Units:
UM3; Status: F; Updated: 11/19 10:18
Test: MCH; Value: 29.7; Range: 27-32; Abnormal: ; Units: PG; Status:
F; Updated: 11/19 10:18
Test: MCHC; Value: 34.3; Range: 32-37; Abnormal: ; Units: G/DL;
Status: F; Updated: 11/19 10:18
Test: RELL CELL DISTRIBUTION WIDTH; Value: 13.1; Range: 11.5-14.5;
Abnormal: ; Units: %; Status: F; Updated: 11/19 10:18
Test: RDW STANDARD DEVIATION; Value: 41.1; Range: 35.1-43.9;
Abnormal: ; Units: fl; Status: F; Updated: 11/19 10:18
Test: PLATELETS; Value: 241; Range: 140-440; Abnormal: ; Units: K/UL;
Status: F; Updated: 11/19 10:18
Test: MEAN PLATELET VOLUME; Value: 10.8; Range: 7.4-10.4; Abnormal:
Above high normal; Units: fl; Status: F; Updated: 11/19 10:18
Test: SEGMENTED NEUTROPHIL PERCENT; Value: 84; Range: 37-80;
Abnormal: Above high normal; Units: %; Status: F; Updated: 11/19 10:18
Test: SEGMENTED NEUTROPHIL ABSOLUTE; Value: 9.77; Range: 1.5-6.8;
Abnormal: Above high normal; Units: K/UL; Status: F; Updated: 11/19
10:18
Test: LYMPHOCYTE PERCENT; Value: 10; Range: 10-50; Abnormal: ; Units:
%; Status: F; Updated: 11/19 10:18
Test: LYMPHOCYTES ABSOLUTE; Value: 1.10; Range: 1.0-4.0; Abnormal: ;
Units: K/UL; Status: F; Updated: 11/19 10:18
Test: MONOCYTE PERCENT; Value: 6; Range: 0-12; Abnormal: ; Units: %;
Status: F; Updated: 11/19 10:18
Test: MONOCYTE ABSOLUTE COUNT; Value: 0.64; Range: 0.2-1.0; Abnormal:

; Units: K/UL; Status: F; Updated: 11/19 10:18
Test: EOSINOPHIL PERCENT; Value: 0; Range: 0-7; Abnormal: ; Units: %;
Status: F; Updated: 11/19 10:18
Test: EOSINOPHIL ABSOLUTE; Value: 0.05; Range: 0.0-0.5; Abnormal: ;
Units: K/UL; Status: F; Updated: 11/19 10:18
Test: BASOPHIL PERCENT; Value: 0; Range: 0-2; Abnormal: ; Units: %;

Status: F; Updated: 11/19 10:18
Test: BASOPHIL ABSOLUTE; Value: 0.04; Range: 0.0-0.2; Abnormal: ;
Units: K/UL; Status: F; Updated: 11/19 10:18
Test: IMMATURE GRANS PERCENT; Value: 0.3; Abnormal: ; Units: %;
Status: F; Updated: 11/19 10:18
Test: IMMATURE GRANS ABSOLUTE; Value: 0.0; Range: 0.0-0.1; Abnormal:
; Status: F; Updated: 11/19 10:18
Lab Order: Thyroid Stimulating Hormone; SPEC'M 11/19/17 10:11
Test: THYROID STIMULATING HORMONE; Value: 1.29; Range: 0.34-5.60;
Abnormal: ; Units: uIU/ML; Status: F; Updated: 11/19 10:48
Lab Order: POC GLU; SPEC'M 11/19/17 10:13
Test: POC GLU; Value: 429; Range: 65-100; Abnormal: Above high
normal; Units: MG/DL; Status: F; Updated: 11/19 10:13

Radiology Order: Chest 1 View - Portable
Test: Chest 1 View - Portable
SOVAH HEALTH - MARTINSVILLE Name: HILL,BRIAN D ; RADIOLOGY DEPT Phys:
EKUBAN-GORDON,EDNA MD ; 320 HOSPTIAL DR DOB: 05/26/1990 Age: 27 Sex:
M ; MARTINSVILLE, VA 24112 Acct: MM7805836274 Loc: MM.ER ; PHONE #:
276-666-7223 Exam Date: 11/19/2017 Status: DEP ER ; FAX #:
276-666-7591 Radiology No: ; Unit No: MM00370912 ; EXAMS: EXAM
REASON: ; 000898111 CHEST 1 VIEW - PORTABLE Chest Tightness ;
PORTABLE CHEST ; HISTORY: Seizure. ; COMPARISON: 11/10/2015 ;
FINDINGS: The heart size and configuration are within normal limits ;
for age and portable technique. The lungs are clear. There is no ;
evidence of pleural effusions or pneumothorax. No acute bony ;
abnormality. ; IMPRESSION: No evidence of acute cardiopulmonary
disease. ; ** Electronically Signed by MAROON B KHOURY on 11/19/2017
at 1424 ** ; Reported by: DR. MAROON B KHOURY ; Signed by:
KHOURY,MAROON B ; ; CC: EDNA EKUBAN-GORDON MD ; ; Technologist: KYLEA
ANN KEATTS ; Transcribed Date/Time: 11/19/2017 (1146) ;
Transcriptionist: MMTRSPSB ; Orig Print D/T: S: 11/19/2017 (1424) ;
Reprint D/T: 11/19/2017 (1424) BATCH NO: N/A ;
Radiology Order: CT Head w/o Contrast
Test: CT Head w/o Contrast
SOVAH HEALTH - MARTINSVILLE Name: HILL,BRIAN D ; RADIOLOGY DEPT Phys:
EKUBAN-GORDON,EDNA MD ; 320 HOSPTIAL DR DOB: 05/26/1990 Age: 27 Sex:
M ; MARTINSVILLE, VA 24112 Acct: MM7805836274 Loc: MM.ER ; PHONE #:
276-666-7223 Exam Date: 11/19/2017 Status: DEP ER ; FAX #:
276-666-7591 Radiology No: ; Unit No: MM00370912 ; EXAMS: EXAM
REASON: ; 000898114 CT HEAD W/O CONTRAST ; UNENHANCED HEAD CT ;
HISTORY: Head injury. ; COMPARISON: 11/10/2015 ; TECHNIQUE: This CT
examination was performed using one or more of the ; following dose
reduction techniques: automated exposure control, ; adjustment of the
MA and/or KV according to patient size, and/or use ; of iterative
reconstruction techniques. ; Axial CT images were obtained through
the brain without the use of ; intravenous contrast. ; FINDINGS:

There is no evidence of acute infarct, intracranial ; hemorrhage, or
mass effect. Ventricles and sulci are normal for the ; patient's age.
Calvarium is intact. Visualized portions of the ; paranasal sinuses
and orbits are normal. ; IMPRESSION: Negative for acute intracranial
process. ; ** Electronically Signed by MAROON B KHOURY on 11/19/2017
at 1424 ** ; Reported by: DR. MAROON B KHOURY ; Signed by:
KHOURY,MAROON B ; ; CC: EDNA EKUBAN-GORDON MD ; ; Technologist:

Subject: Re: 953850 Mr. Brian D. Hill VS The Chimney Sweep
From: ROBERTA HILL <rbhill67@comcast.net>
Date: 7/1/2022, 4:58 AM
To: Stella Forinash <kenstella@comcast.net>, "Ziglar, Aaron M." <AZiglar@oag.state.va.us>, "eferguson@fergusonlaw.net" <eferguson@fergusonlaw.net>, "stanleybolten@justiceforuswgo.nl" <stanleybolten@justiceforuswgo.nl>, "kenstella2005@comcast.net" <kenstella2005@comcast.net>

Aaron Ziglar,

Here is the email regarding my old bank statement. I don't know if my old SunTrust account still will work since it was migrated to First Horison Bank.

It was worth a shot. SunTrust has those bank records to prove the lying lawyer from Rocky Mount, VA lied about The Chimney Sweep never conducting any services or estimates on the Hill residence.

They were paid $300 to do what exactly??? They do chimney work. What did they get paid $300 for then if nothing was done???

I was so close to prove the lawyer lied, but I guess we will still have to wait on SunTrust to respond to my letter. This is frustrating. My son is frustrated.

If I am ever able to just login, which I doubt because of the bank account migration, then I could have presented the proof right away.

Thanks,
Roberta

---------- Original Message ----------
From: Roberta Hill <rbhill67@yahoo.com>
To: "rbhill67@comcast.net" <rbhill67@comcast.net>, Ken & Stella Forinash <kenstella@comcast.net>, "kenstella2005@comcast.net" <kenstella2005@comcast.net>
Date: 07/01/2022 4:50 AM
Subject: Fw: Your October 2017 Checking Statement is now available to view in Online Banking

----- Forwarded Message -----
From: SunTrust Bank <onlinestatements@suntrust.com>
To: RBHILL67@YAHOO.COM <RBHILL67@YAHOO.COM>
Sent: Friday, October 20, 2017 at 03:02:22 AM EDT
Subject: Your October 2017 Checking Statement is now available to view in Online Banking

SunTrust

Dear SunTrust Client,

Your October 2017 Checking Statement for your account ending with 0541 is now available to view

in Online Banking.

To view your statement,

1. Visit suntrust.com
2. Sign on to Online Banking with your user ID and password
3. Select your account
4. Click the **Statements** icon
5. Click **View** for the October 2017 statement

We appreciate your business and are committed to helping you reach your financial goals. Visit suntrust.com, call us at 800-SUNTRUST (786-8787), or stop by your local branch to learn more about our helpful products and services.

Thank you for banking with SunTrust.

Sincerely,
SunTrust Customer Care

Please add onlinestatements@suntrust.com to your address book or safe list. Please do not reply to this email. If you have questions about your account in general, email us through the Secure Message Center.

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This email was sent on behalf of SunTrust Customer Care, 1575 Lemon Farris Road, Cookeville, TN 38506.
TAGS@ERG$fb41ae23-3b29-4baa-8aeb-2a7ab4039d77|ENV$PROD!

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By replying to this e-mail, you consent to SunTrust's monitoring activities of all communication that occurs on SunTrust's systems.
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[ST:XCL]

Attachments:

Yahoo Mail - Your October 2017 Checking Statement is now available to view in Online Banking.pdf	136 KB

Your October 2017 Checking Statement is now available to view in Online Banking

From: SunTrust Bank (onlinestatements@suntrust.com)

To: RBHILL67@YAHOO.COM

Date: Friday, October 20, 2017 at 03:02 AM EDT

SunTrust

Dear SunTrust Client,

Your **October 2017 Checking** Statement for your account ending with **0541** is now available to view in Online Banking.

To view your statement,

1. Visit suntrust.com
2. Sign on to Online Banking with your user ID and password
3. Select your account
4. Click the **Statements** icon
5. Click **View** for the October 2017 statement

We appreciate your business and are committed to helping you reach your financial goals. Visit suntrust.com, call us at 800-SUNTRUST (786-8787), or stop by your local branch to learn more about our helpful products and services.

Thank you for banking with SunTrust.

Sincerely,
SunTrust Customer Care

Please add onlinestatements@suntrust.com to your address book or safe list. Please do not reply to this email. If you have questions about your account in general, email us through the Secure Message Center.

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This email was sent on behalf of SunTrust Customer Care, 1575 Lemon Farris Road, Cookeville, TN 38506.

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[ST:XCL]

Subject: Re: 953850 Mr. Brian D. Hill VS The Chimney Sweep - EVIDENCE OF CHIMNEY SWEEP BEING INVOLVED, EVIDENCE FOR ERIC FERGUSON (lawyer)
From: ROBERTA HILL <rbhill67@comcast.net>
Date: 7/1/2022, 7:19 AM
To: "Ziglar, Aaron M." <AZiglar@oag.state.va.us>, Attorney Eric Ferguson <eferguson@fergusonlaw.net>
CC: "stanleybolten@justiceforuswgo.nl" <StanleyBolten@justiceforuswgo.nl>, Ken & Stella Forinash <kenstella@comcast.net>, "kenstella2005@comcast.net" <kenstella2005@comcast.net>, Lin Wood <lwood@linwoodlaw.com>, Lin Wood <lwood@fightback.law>, "Coen, Chris" <ccoen@oag.state.va.us>

Aaron Ziglar,

I have additional evidence/proof that this lawyer Eric Ferguson is repeating lies from The Chimney Sweep business. They are lying, the lawyer is repeating their lies.

I have evidence, records printed from my Comcast internet and phone account for my phone number 276-790-3505 that my son had files in his legal records possession. He has proof that I called The Chimney Sweep multiple times and they called me multiple times (3 placed, 1 received). From their own business phone number. The records are there and the lawyer can verify by subpoenaing Comcast. I consent to the lawyer asking to verify these phone logs from the time periods mentioned in this email. I have provided screenshots of the phone logs with the highlights.

This lawyer is acting as though I have no proof that The Chimney Sweep was involved with my chimney. That they made no estimate. That they did no work on my chimney or at my residence. I have two sources of proof that will dispel those lies. The Comcast phone logs, and the second proofs will be the bank account check records that I am attempting to request from TRUIST/SunTrust.

We are still waiting for the records from my old SunTrust bank account and have forwarded you email proof that I had this bank account in October, 2017 but may not be able to access my online bank account statements because of the forced migration from SunTrust to First Horizon Bank in Martinsville. So attempting to receive those records will take time.

HOWEVER this evidence proved my son's complaint is with MERIT.

Maybe this lawyer needs to produce the copies of the contract for this chimney work for attempting to defraud Mediator Aaron M. Ziglar of the Attorney General Office for Virginia because I have proven with evidence of records my son had in his possession, evidence. I printed the call logs for my son as per his request in 2017. He held printouts of this call log. He went to his legal case files, found the record and has given it to me in support of my son's complaint against The Chimney Sweep.

I have proven that the lawyer Eric Ferguson has made untruthful statements and that the complaint should not be dismissed as baseless. Lawyer Eric Ferguson by and through The Chimney Sweep has defrauded Aaron M. Ziglar of this process. His office has been defrauded.

The lawyer's claims are "BASELESS".

Eric Ferguson, your client for the business "THE CHIMNEY SWEEP" has the phone number (540) 483-2468. This number is on their verified owner profile at the Chamber of Commerce.com. This is their business phone number, for your client, The Chimney Sweep.

See attachment "The Chimney Sweep in Rocky Mount, VA 24151 - (540) 483-2468.pdf"

Now let's take a look at the phone logs my son had a copy of, by the grace of Lord Jesus, and God. Thanks to Jesus Christ and the Angels who protect my son from the demons, my son has records proving that The Chimney Sweep was contacting me and I was contacting them by phone, and the amount of time period that the call had placed and when the calls had been received. They will be highlighted for the lawyer to see. Sorry, Eric Ferguson.

See attachments: "Call History October 23 2017 4_50AM (pages 1-5 excerpt records)(2).pdf" with highlights to the phone numbers belonging to The Chimney Sweep; "Call History October 23 2017 4_50AM (pages 1-5 excerpt records).pdf"; The Chimney Sweep phone logs 1.png; and The Chimney Sweep phone logs 2.png.

UNKNOWN	(540) 483-2468	0s	PLACED	11:32 AM EST	Tue.	Sep 26, 2017
UNKNOWN	(540) 483-2468	3m 11s	PLACED	11:26 AM EST	Tue.	Sep 26, 2017
UNKNOWN	(276) 957-5684	0s	PLACED	11:23 AM EST	Tue.	Sep 26, 2017
UNKNOWN	(276) 629-4453	45s	PLACED	11:21 AM EST	Tue.	Sep 26, 2017
UNKNOWN	(415) 633-6745	7s	PLACED	11:09 PM EST	Mon.	Sep 25, 2017
UNKNOWN	(347) 759-6075	0s	PLACED	11:00 PM EST	Mon.	Sep 25, 2017
UNKNOWN	(347) 759-6075	0s	PLACED	10:33 PM EST	Mon.	Sep 25, 2017
UNKNOWN	(818) 849-3481	4m 30s	PLACED	10:23 PM EST	Mon.	Sep 25, 2017
UNKNOWN	(818) 849-3481	14m 41s	PLACED	10:08 PM EST	Mon.	Sep 25, 2017
UNKNOWN	(276) 632-2599	2m 29s	PLACED	9:00 PM EST	Mon.	Sep 25, 2017
FORNASH KENNETH	(276) 632-2599	0m 12s	RECEIVED	7:58 PM EST	Mon.	Sep 25, 2017
UNKNOWN	(276) 632-2599	17m 4s	PLACED	5:13 PM EST	Mon.	Sep 25, 2017
UNKNOWN	(512) 646-4426	55m 9s	PLACED	4:10 PM EST	Mon.	Sep 25, 2017

5 of 15 10/23/2017, 4:49 AM

UNKNOWN	(540) 483-2468	36s	PLACED	1:22 PM EST	Thu.	Oct 5, 2017
U.S. CELLULAR	(540) 483-2468	23s	RECEIVED	10:04 AM EST	Thu.	Oct 5, 2017
UNKNOWN	(325) 333-1370	7s	PLACED	2:57 AM EST	Thu.	Oct 5, 2017
UNKNOWN	(512) 382-1694	0s	PLACED	12:22 AM EST	Thu.	Oct 5, 2017
UNKNOWN	(512) 382-1694	0s	PLACED	11:44 PM EST	Wed.	Oct 4, 2017
SOVAH DANVILLE	(434) 799-4488	48s	RECEIVED	10:32 AM EST	Wed.	Oct 4, 2017

2 of 15 10/23/2017, 4:49 AM

Isn't that interesting, the same date I paid $300 to The Chimney Sweep, they called me one time and I received a phone call back, all on October 5, 2017. This matches the photograph of the check stub, $300 to The Chimney Sweep. This will also match the bank account records of the check paid to The Chimney Sweep.

All glory goes to God. God is helping me prove my son's innocence.

The Chimney Sweep by and through their lawyer, their representative Eric Ferguson has lied about their client not being involved with me or my chimney, lying about not being given an estimate by Eric's client, The Chimney Sweep. The phone call lasted 3 minutes and 11 seconds on September 26, 2017 at 11:26 AM EST, Tuesday. What was I talking for 3 minutes and 11 seconds for Mr. Eric (attorney)????????????

The Chimney Sweep needs to admit that they lied to Aaron Ziglar of The Attorney General Office on top of being involved with placing metal tin on top of the chimney. We have proof that The Chimney Sweep did work, they got paid $300 and phone records from their phone number, and the date of two phone call records on October 5, 2017. What do you have Eric Ferguson???

Brian David Hill = Innocence - Where We Go One We Go All (WWG1WGA)

Opinion: The Deep State may have pulled some things, but Brian my son is smart as a whip despite his Autism and his vulnerabilities. He somehow knew he was going to be set up with a crime of some sort, which became indecent exposure. It's like the Angels knew this was coming down the pike and gave Brian evidence he would need right now to disprove this lawyer. We give angels credit for this evidence. What are you going to say to this proof Eric Ferguson???

Eric Ferguson, You defrauded Aaron M. Ziglar, the Dispute Resolution Specialist of the Office of the Attorney General. Explain yourself.

Eric Ferguson I have a few questions for your client.

Did your client ever get paid by anybody other than myself to do chimney work, like was your client ever paid to put metal tin on top of the chimney to put both me, Roberta Hill and my son Brian David Hill under carbon monoxide gas poisoning due to blocking exhaust from the gas hot water heater and gas radiator?

Was your client influenced in any way or did anybody ask somebody from The Chimney Sweep to put metal tin on top of the chimney to put both me, Roberta Hill and my son Brian David Hill under carbon monoxide gas poisoning due to blocking exhaust from the gas hot water heater and gas radiator?

Why did somebody working for The Chimney Sweep place metal tin on top of the chimney to put both me, Roberta Hill and my son Brian David Hill under carbon monoxide gas poisoning due to blocking exhaust from the gas hot water heater and gas radiator?

Why was The Chimney Sweep negligent in placing metal tin on top of the chimney of the Triplex me and my son both live in?

Why did The Chimney Sweep lie to they're hired attorney Eric Ferguson in order to make me, Roberta Hill and my son Brian David Hill look like liars?

Were you influenced by Commonwealth Attorney Glen Andrew Hall or Giles Carter Greer in any of this process? Did Glen Andrew Hall or Martinsville Police influence The Chimney Sweep to attempt to subvert this complaint process? Did Martinsville Police Chief Eddie Cassady influence you at all in this process?

Were you influenced by anybody working for the U.S. Attorney Office in the Middle District of North Carolina in any of this process? Did anybody at the U.S. Attorney Office influence The Chimney Sweep to attempt to subvert this complaint process?

Last question: **Did somebody from The Chimney Sweep place metal tin on top of the chimney at the Triplex located at 310 Forest Street, Martinsville, VA 24112 on October 5, 2017 and then was paid $300 by check for the work? Who placed the metal tin on top of the chimney? Why was metal; tin placed on top of the chimney?**

Please answer these questions Eric Ferguson, under oath. That way if you lie under oath, you can go to jail for perjury.

Thanks and God bless you all,
Roberta Hill

On 6/29/2022 9:44 AM, Ziglar, Aaron M. wrote:

> Dear Mr. Hill,
>
> Thank you for authorizing the Virginia Attorney General's Office to assist in the resolution of your dispute. Our Office has received the below written response from the business to your complaint. Please review it carefully and, if you would like to provide a response, please do so in writing within ten (10) business days from the date of this email.
>
> In the event I fail to hear from you in writing within ten business days, the complaint will be closed and no further action will be taken.
>
> This Office will retain the complaint form and copies of all official correspondence regarding the complaint in accordance with the applicable state retention schedule. Under the Virginia Freedom of Information Act, please be advised that these materials will be available to the public for review, upon request.
>
> If you have any additional information or need further assistance, please feel free to contact me or respond to this message.

3112

Sincerely,

Aaron M. Ziglar
Dispute Resolution Specialist
Office of the Attorney General
202 North 9th Street
Richmond, Virginia 23219
(804) 786-1244 Office
AZiglar@oag.state.va.us
http://www.ag.virginia.gov



-

From: Eric Ferguson <eferguson@fergusonlaw.net>
Sent: Tuesday, June 28, 2022 10:54 AM
To: Ziglar, Aaron M. <AZiglar@oag.state.va.us>
Subject: Re: 953850 Mr. Brian D. Hill VS The Chimney Sweep

Mr. Ziglar--Thanks for speaking with me yesterday and allowing me to submit this response in email format. I really appreciate your working with me and my client on submitting this response to the complaint of Mr. Hill.

My client is Jacody Cassell and he is the owner of The Chimney Sweep in Franklin County, VA. He has been the owner since 2016. His father had owned it from 1976 until 2016. Jacody has always worked for this company. His son works for him now and intends to take over the company one day.

The Chimney Sweep is a very reputable company and has had very few complaints made against them for their work. My client claims to have no knowledge of Brian D. Hill and Roberta Hill. My client has no records of ever providing an estimate for work to be done at the home of the Hills in Martinsville and he has no evidence of ever doing any work for the Hills at a home in Martinsville. My client has no record of ever being paid to do any work for the Hills. More importantly, until

May 17, 2022, when Mr. Hill filed this complaint, my clients were never told about any of these claims.

My client has never done any work for the Hills. They have never received any complaints from the HIlls. One would think that it would not take 3-5 years to make a complaint. Mr. Hill is seeking damages for payment of his legal expenses as a result of criminal charges in 2018.

Mr. Hill's complaint is baseless and he has no evidence to support it. He has offered no contract, no estimate, and no evidence of payment. He has nothing with which to back up his complaint. Even if he did, the statute of limitations for bodily injury is two years. The appropriate statutes regarding contracts are 3 years for verbal agreements and 5 years for written agreements. Since he has no written one, one must assume that if he had an agreement, it would be verbal and therefore beyond that statute of limitation as well.

On behalf of The Chimney Sweep, I ask that this complaint be dismissed. There is no evidence to support this claim.

Please advise of any next step. Thank you for your time and consideration.

Eric H. Ferguson, Esq.

RHODES & FERGUSON ATTORNEYS AT LAW

305 S. Main Street

Rocky Mount, VA 24151

540-483-5234 (phone)

540-483-5763 (fax)

eferguson@fergusonlaw.net

PLEASE NOTE NEW EMAIL ADDRESS

The Chimney Sweep phone logs 1.png

UNKNOWN	(540) 483-2468	0s	PLACED	11:32 AM EST	Tue.	Sep 26, 2017
UNKNOWN	(540) 483-2468	3m 11s	PLACED	11:26 AM EST	Tue.	Sep 26, 2017
UNKNOWN	(276) 957-5684	0s	PLACED	11:23 AM EST	Tue.	Sep 26, 2017
UNKNOWN	(276) 629-4453	45s	PLACED	11:21 AM EST	Tue.	Sep 26, 2017
UNKNOWN	(415) 633-6745	7s	PLACED	11:09 PM EST	Mon.	Sep 25, 2017
UNKNOWN	(347) 759-6075	0s	PLACED	11:00 PM EST	Mon.	Sep 25, 2017
UNKNOWN	(347) 759-6075	0s	PLACED	10:33 PM EST	Mon.	Sep 25, 2017
UNKNOWN	(818) 849-3481	4m 30s	PLACED	10:23 PM EST	Mon.	Sep 25, 2017
UNKNOWN	(818) 849-3481	14m 41s	PLACED	10:08 PM EST	Mon.	Sep 25, 2017
UNKNOWN	(276) 632-2599	2m 29s	PLACED	9:00 PM EST	Mon.	Sep 25, 2017
FORNASH KENNETH	(276) 632-2599	0m 12s	RECEIVED	7:58 PM EST	Mon.	Sep 25, 2017
UNKNOWN	(276) 632-2599	17m 4s	PLACED	5:13 PM EST	Mon.	Sep 25, 2017
UNKNOWN	(512) 646-4426	55m 9s	PLACED	4:10 PM EST	Mon.	Sep 25, 2017

5 of 15 10/23/2017, 4:49 AM

The Chimney Sweep phone logs 2.png

UNKNOWN	(540) 483-2468	36s	PLACED	1:22 PM EST	Thu.	Oct 5, 2017
U.S. CELLULAR	(540) 483-2468	23s	RECEIVED	10:04 AM EST	Thu.	Oct 5, 2017
UNKNOWN	(325) 333-1370	7s	PLACED	2:57 AM EST	Thu.	Oct 5, 2017
UNKNOWN	(512) 382-1694	0s	PLACED	12:22 AM EST	Thu.	Oct 5, 2017
UNKNOWN	(512) 382-1694	0s	PLACED	11:44 PM EST	Wed.	Oct 4, 2017
SOVAH DANVILLE	(434) 799-4488	48s	RECEIVED	10:32 AM EST	Wed.	Oct 4, 2017

2 of 15 10/23/2017, 4:49 AM

Attachments:

The Chimney Sweep in Rocky Mount, VA 24151 - (540) 483-2468.pdf	441 KB
Call History October 23 2017 4_50AM (pages 1-5 excerpt records)(2).pdf	313 KB
The Chimney Sweep phone logs 1.png	115 KB
The Chimney Sweep phone logs 2.png	31.5 KB
Call History October 23 2017 4_50AM (pages 1-5 excerpt records).pdf	304 KB

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The Chimney Sweep

(5 Reviews)

1590 Blue Bend Road
Rocky Mount, Virginia 24151

(540) 483-2468

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Owner-Verified

About | Hours | Details | Reviews

CALL | DIRECTIONS | REVIEWS

Chamber Rating

Verified Member

2.6 - (5 reviews)

5 stars	2
4 stars	0
3 stars	0
2 stars	0

3116



3

ABOUT
The Chimney Sweep

The Chimney Sweep is located at 1590 Blue Bend Road in Rocky Mount, Virginia 24151. The Chimney Sweep can be contacted via phone at (540) 483-2468 for pricing, hours and directions.

CONTACT INFO

☎ (540) 483-2468

QUESTIONS & ANSWERS

Q What is the phone number for The Chimney Sweep?

A The phone number for The Chimney Sweep is: (540) 483-2468.

Q Where is The Chimney Sweep located?

A The Chimney Sweep is located at 1590 Blue Bend Road, Rocky Mount, Virginia 24151

Q How is The Chimney Sweep rated?

A The Chimney Sweep has a 2.6 Star Rating from 5 reviewers.

3117

RATINGS AND REVIEWS

The Chimney Sweep

Overall Rating

(5 Reviews)

5 stars	2
4 stars	0
3 stars	0
2 stars	0
1 star	3

Write a Review

STANLEY BOLTEN

May 24th, 2022

I am posting on behalf of Brian D. Hill, he was damaged by The Chimney Sweep. Received a copy of the complaint to Attorney General from Brian's family. Beware that if they put metal tin on top of your chimney flues, then you are BEING EXPOSED TO CARBON MONOXIDE POISONING. The Chimney Sweep may have done the same thing to you, check your chimney to see if they placed metal tin. Their mistakes like that CAN CAUSE YOU TO BE KILLED WITH CARBON MONOXIDE or face an indecent exposure charge after long term carbon monoxide exposure. Beware of The Chimney Sweep.

Complaint can be accessed by FOIA request or at the publication of complaint against The Chimney Sweep.
http://justiceforuswgo.wordpress.com/2022/05/24/brian-d-hill-v-the-chimney-sweep-complaint-against-dr-brant-hinchman-of-sovah-health-martinsville-hospital-learn-about-the-carbon-monoxide-poisoning-which-led-to-brians-state-charge-he-is-in/

This man wouldn't have ever been charged with indecent exposure if he had known he was being poisoned by a drug or substance known as carbon monoxide for many months no thanks to this company. They outta be ashamed of themselves. Shame on them.

Case no. 953850 Mr. Brian D. Hill VS The Chimney Sweep, case can be verified by Attorney

General.

BEN JOHNSON Dec 7th, 2021

This company is not reputable or respectful. The business must be doing really awful because of the the fact that they have the owners daughters boyfriend (Patrick Austin) posting positive reviews while he lives at his parents double wide trailer that has no chimney. I used these folks once and while I was at work, the father had the son on my roof trying to install a new liner. Needless to say, the son was scared to death. My wife called me to tell me what was going on. I immediately stopped them from working on our property after learning this business is not bonded. This so called company will try to charge you double the amount most respectful companies like Black Goose will charge. I will never use their services again. Services: Chimney inspections, Chimney cleaning

PATRICK AUSTIN Nov 15th, 2021

I couldn't be more pleased with these guys , they were very knowledgeable, friendly and great at what they do. They were very upfront with pricing and everything that needed to be done to make sure my chimney was in good shape for the winter. Highly recommend and will use again in the future

TONYA GRANTHAM Oct 30th, 2021

What a great team. Highly professional and knowledgable. I will use "The Chimney Sweep" for all my chimney cleaning and needs.



SANDIE ALVAREZ

[redacted]

Sep 29th, 2021

"Charged a LOT of money for work not done. Was told work would be done a certain way and only a "Band aid" was placed on it to the tune of hundreds of dollars. Will NOT use his services again."

WRITE A REVIEW

RATING: ☆ ☆ ☆ ☆ ☆

Name

Email

Review Title

Your Review

SUBMIT

Chimney Services Near Me in Rocky Mount, VA

Chimney's Done Wright

320 Elton Dr

Rocky Mount, VA 24151

3120

(540) 397-9561

(4 Reviews)

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Call History xfinity connect

(276) 790-3505
Rbhill67@comcast.net

Name	PhoneNumber	Duration	Time	Date		
WATSON BETTY	(336) 681-0304	0s	MISSED	11:20 PM EST	Sun.	Oct 22, 2017
WATSON BETTY	(336) 681-0304	27s	RECEIVED	11:20 PM EST	Sun.	Oct 22, 2017
UNKNOWN	(336) 681-0304	10s	PLACED	11:19 PM EST	Sun.	Oct 22, 2017
UNKNOWN	(276) 632-2599	16m 26s	PLACED	10:58 PM EST	Sun.	Oct 22, 2017
UNKNOWN	(336) 358-1314	0s	PLACED	10:57 PM EST	Sun.	Oct 22, 2017
UNKNOWN	(336) 954-3856	7s	PLACED	10:56 PM EST	Sun.	Oct 22, 2017
UNKNOWN	(336) 375-8888	0s	PLACED	10:55 PM EST	Sun.	Oct 22, 2017
UNKNOWN	(336) 617-7932	0s	PLACED	10:53 PM EST	Sun.	Oct 22, 2017
UNKNOWN	(800) 743-6179	60s	PLACED	7:54 PM EST	Sat.	Oct 21, 2017
TLC	(636) 534-2384	10s	RECEIVED	9:51 AM EST	Sat.	Oct 21, 2017
TLC	(636) 534-2384	0s	MISSED	9:51 AM EST	Sat.	Oct 21, 2017
UNKNOWN	(276) 632-2599	19m 22s	PLACED	9:41 PM EST	Fri.	Oct 20, 2017
UNKNOWN	(336) 333-5005	2m 16s	PLACED	9:19 PM EST	Fri.	Oct 20, 2017
UNKNOWN	(336) 333-5005	2m 30s	PLACED	9:15 PM EST	Fri.	Oct 20, 2017
UNKNOWN	(202) 262-3034	5s	PLACED	8:01 PM EST	Fri.	Oct 20, 2017
UNKNOWN	(424) 288-0650	4m 16s	PLACED	7:56 PM EST	Fri.	Oct 20, 2017
UNKNOWN	(512) 998-4705	3m 25s	PLACED	7:51 PM EST	Fri.	Oct 20, 2017
UNKNOWN	(512) 998-4705	6s	PLACED	7:50 PM EST	Fri.	Oct 20, 2017
UNKNOWN	(512) 825-7826	16s	PLACED	7:50 PM EST	Fri.	Oct 20, 2017
UNKNOWN	(773) 837-8300	6s	PLACED	7:49 PM EST	Fri.	Oct 20, 2017
UNKNOWN	(707) 540-1473	2s	PLACED	7:48 PM EST	Fri.	Oct 20, 2017
UNKNOWN	(202) 262-3034	3s	PLACED	7:46 PM EST	Fri.	Oct 20, 2017
UNKNOWN	(202) 262-3034	10s	PLACED	7:45 PM EST	Fri.	Oct 20, 2017
UNKNOWN	(202) 262-3034	7s	PLACED	7:45 PM EST	Fri.	Oct 20, 2017
TLC	(636) 534-2384	10s	RECEIVED	6:29 PM EST	Fri.	Oct 20, 2017
TLC	(636) 534-2384	0s	MISSED	6:29 PM EST	Fri.	Oct 20, 2017
UNKNOWN	(276) 632-2599	24m 12s	PLACED	9:26 PM EST	Thu.	Oct 19, 2017
UNKNOWN	(276) 632-2599	2m 49s	PLACED	9:22 PM EST	Thu.	Oct 19, 2017
UNKNOWN	(276) 632-2599	48m 56s	PLACED	6:59 PM EST	Thu.	Oct 19, 2017
TLC	(636) 534-2384	0s	MISSED	10:27 AM EST	Thu.	Oct 19, 2017
TLC	(636) 534-2384	3s	RECEIVED	10:27 AM EST	Thu.	Oct 19, 2017
TLC	(636) 534-2384	0s	MISSED	4:32 PM EST	Wed.	Oct 18, 2017
TLC	(636) 534-2384	0s	MISSED	9:13 AM EST	Wed.	Oct 18, 2017
TLC	(636) 534-2384	18s	RECEIVED	9:13 AM EST	Wed.	Oct 18, 2017
TLC	(636) 534-2384	36s	RECEIVED	7:13 PM EST	Tue.	Oct 17, 2017
TLC	(636) 534-2384	0s	MISSED	7:13 PM EST	Tue.	Oct 17, 2017
WIRELESS CALLER	(209) 518-3036	0s	MISSED	4:41 PM EST	Mon.	Oct 16, 2017
UNKNOWN	(919) 962-6136	15m 15s	PLACED	4:21 PM EST	Mon.	Oct 16, 2017
UNKNOWN	(919) 962-7765	12m 44s	PLACED	4:03 PM EST	Mon.	Oct 16, 2017
FORNASH KENNETH	(276) 632-2599	1m 3s	RECEIVED	10:04 AM EST	Sun.	Oct 15, 2017

3123

Name	PhoneNumber	Duration	Time	Date		
ROB DE	(512) 825-7826	9s	RECEIVED	1:56 PM EST	Sat.	Oct 14, 2017
ROB DE	(512) 825-7826	0s	MISSED	1:56 PM EST	Sat.	Oct 14, 2017
UNKNOWN	(512) 825-7826	3s	PLACED	11:49 PM EST	Fri.	Oct 13, 2017
WIRELESS CALLER	(315) 690-9176	0s	MISSED	4:23 PM EST	Fri.	Oct 13, 2017
FORNASH KENNETH	(276) 632-2599	17m 26s	RECEIVED	10:26 AM EST	Fri.	Oct 13, 2017
FORNASH KENNETH	(276) 632-2599	14m 40s	RECEIVED	9:29 AM EST	Fri.	Oct 13, 2017
UNKNOWN	(512) 363-3281	3m 18s	PLACED	7:32 PM EST	Wed.	Oct 11, 2017
UNKNOWN	(512) 825-7826	3m 28s	PLACED	7:26 PM EST	Wed.	Oct 11, 2017
UNKNOWN	(540) 598-0440	1m 47s	PLACED	3:58 PM EST	Wed.	Oct 11, 2017
FORNASH KENNETH	(276) 632-2599	8m 48s	RECEIVED	8:54 AM EST	Wed.	Oct 11, 2017
UNKNOWN	(315) 673-7198	8s	PLACED	9:37 PM EST	Tue.	Oct 10, 2017
UNKNOWN	(202) 646-5172	20s	PLACED	9:35 PM EST	Tue.	Oct 10, 2017
UNKNOWN	(276) 632-2599	45m 18s	PLACED	4:15 PM EST	Tue.	Oct 10, 2017
UNKNOWN	(540) 598-0440	1m 4s	PLACED	2:53 PM EST	Tue.	Oct 10, 2017
UNKNOWN	(276) 632-2599	28m 20s	PLACED	10:00 PM EST	Mon.	Oct 9, 2017
UNKNOWN	(814) 835-6786	9s	PLACED	6:50 PM EST	Mon.	Oct 9, 2017
UNKNOWN	(512) 246-9549	53s	PLACED	3:12 PM EST	Mon.	Oct 9, 2017
UNKNOWN	(800) 724-2719	30s	PLACED	3:11 PM EST	Mon.	Oct 9, 2017
UNKNOWN	(845) 557-3349	0s	PLACED	3:03 PM EST	Mon.	Oct 9, 2017
UNKNOWN	(877) 789-2539	0s	PLACED	3:01 PM EST	Mon.	Oct 9, 2017
UNKNOWN	(877) 789-2539	0s	PLACED	3:01 PM EST	Mon.	Oct 9, 2017
UNKNOWN	(877) 789-2539	0s	PLACED	3:01 PM EST	Mon.	Oct 9, 2017
UNKNOWN	(877) 789-2539	8m 8s	PLACED	1:53 PM EST	Mon.	Oct 9, 2017
UNKNOWN	(877) 789-2539	0s	PLACED	1:45 PM EST	Mon.	Oct 9, 2017
Bond Margaretta	(309) 525-2705	56s	RECEIVED	1:08 AM EST	Mon.	Oct 9, 2017
UNKNOWN	(309) 525-2705	6s	PLACED	1:07 AM EST	Mon.	Oct 9, 2017
UNKNOWN	(516) 736-2925	0s	PLACED	12:52 AM EST	Mon.	Oct 9, 2017
UNKNOWN	(516) 736-2925	0s	PLACED	12:44 AM EST	Mon.	Oct 9, 2017
UNKNOWN	(845) 557-3349	0s	PLACED	12:09 AM EST	Mon.	Oct 9, 2017
UNKNOWN	(512) 352-0129	2m 16s	PLACED	10:47 PM EST	Sun.	Oct 8, 2017
UNKNOWN	(512) 352-0129	2m 41s	PLACED	10:44 PM EST	Sun.	Oct 8, 2017
UNKNOWN	(276) 632-2599	45m 53s	PLACED	10:31 PM EST	Sat.	Oct 7, 2017
FORNASH KENNETH	(276) 632-2599	11m 17s	RECEIVED	10:06 AM EST	Fri.	Oct 6, 2017
UNKNOWN	(512) 443-6940	8s	PLACED	9:25 PM EST	Thu.	Oct 5, 2017
UNKNOWN	(512) 443-5856	0s	PLACED	2:03 PM EST	Thu.	Oct 5, 2017
UNKNOWN	(276) 632-2599	22m 58s	PLACED	1:23 PM EST	Thu.	Oct 5, 2017
UNKNOWN	(540) 483-2468	36s	PLACED	1:22 PM EST	Thu.	Oct 5, 2017
U.S. CELLULAR	(540) 483-2468	23s	RECEIVED	10:04 AM EST	Thu.	Oct 5, 2017
UNKNOWN	(325) 333-1370	7s	PLACED	2:57 AM EST	Thu.	Oct 5, 2017
UNKNOWN	(512) 382-1694	0s	PLACED	12:22 AM EST	Thu.	Oct 5, 2017
UNKNOWN	(512) 382-1694	0s	PLACED	11:44 PM EST	Wed.	Oct 4, 2017
SOVAH DANVILLE	(434) 799-4488	48s	RECEIVED	10:32 AM EST	Wed.	Oct 4, 2017

Name	PhoneNumber	Duration	Time	Date		
SOVAH DANVILLE	(434) 799-4488	0s	MISSED	10:32 AM EST	Wed.	Oct 4, 2017
ROTO ROOTER SRV	(434) 685-3047	26s	RECEIVED	6:36 PM EST	Tue.	Oct 3, 2017
UNKNOWN	(276) 634-0088	22s	PLACED	6:25 PM EST	Tue.	Oct 3, 2017
ROTO ROOTER SRV	(434) 685-3047	14s	RECEIVED	5:04 PM EST	Tue.	Oct 3, 2017
UNKNOWN	(276) 634-0088	2m 11s	PLACED	3:27 PM EST	Tue.	Oct 3, 2017
Martinsville VA	(276) 622-3386	1m 19s	RECEIVED	10:07 AM EST	Tue.	Oct 3, 2017
UNKNOWN	(540) 857-5181	3m 39s	PLACED	1:35 AM EST	Tue.	Oct 3, 2017
UNKNOWN	(512) 291-5750	55s	PLACED	12:04 AM EST	Tue.	Oct 3, 2017
UNKNOWN	(512) 470-8290	0s	PLACED	11:08 PM EST	Mon.	Oct 2, 2017
UNKNOWN	(276) 226-4614	1m 12s	PLACED	10:31 AM EST	Mon.	Oct 2, 2017
FORNASH KENNETH	(276) 632-2599	23m 9s	RECEIVED	9:23 PM EST	Sun.	Oct 1, 2017
FORNASH KENNETH	(276) 632-2599	5s	RECEIVED	9:01 AM EST	Sun.	Oct 1, 2017
FORNASH KENNETH	(276) 632-2599	0s	MISSED	9:01 AM EST	Sun.	Oct 1, 2017
UNKNOWN	(917) 975-7659	7s	PLACED	1:29 AM EST	Sat.	Sep 30, 2017
UNKNOWN	(212) 443-2222	12s	PLACED	1:26 AM EST	Sat.	Sep 30, 2017
UNKNOWN	(540) 598-0440	5s	PLACED	5:12 PM EST	Fri.	Sep 29, 2017
UNKNOWN	(276) 632-6222	21s	PLACED	12:36 AM EST	Fri.	Sep 29, 2017
UNKNOWN	(276) 632-2599	39m 2s	PLACED	12:00 AM EST	Fri.	Sep 29, 2017
UNKNOWN	(276) 632-2599	46m 55s	PLACED	5:58 PM EST	Thu.	Sep 28, 2017
UNKNOWN	(540) 598-0440	45s	PLACED	4:55 PM EST	Thu.	Sep 28, 2017
UNKNOWN	(276) 632-2599	45m 4s	PLACED	6:43 PM EST	Wed.	Sep 27, 2017
UNKNOWN	(512) 646-4426	33m 20s	PLACED	6:07 PM EST	Wed.	Sep 27, 2017
UNKNOWN	(512) 646-4426	36m 40s	PLACED	5:30 PM EST	Wed.	Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	5:30 PM EST	Wed.	Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	5:30 PM EST	Wed.	Sep 27, 2017
UNKNOWN	(888) 201-2244	0s	PLACED	5:22 PM EST	Wed.	Sep 27, 2017
UNKNOWN	(888) 201-2244	0s	PLACED	5:18 PM EST	Wed.	Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	5:18 PM EST	Wed.	Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	5:17 PM EST	Wed.	Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	5:14 PM EST	Wed.	Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	5:13 PM EST	Wed.	Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	5:11 PM EST	Wed.	Sep 27, 2017
UNKNOWN	(512) 646-4426	49s	PLACED	5:09 PM EST	Wed.	Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	4:56 PM EST	Wed.	Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	4:43 PM EST	Wed.	Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	4:38 PM EST	Wed.	Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	4:35 PM EST	Wed.	Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	4:35 PM EST	Wed.	Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	4:35 PM EST	Wed.	Sep 27, 2017
UNKNOWN	(888) 201-2244	0s	PLACED	4:35 PM EST	Wed.	Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	4:35 PM EST	Wed.	Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	4:01 PM EST	Wed.	Sep 27, 2017

Name	PhoneNumber	Duration	Time	Date
UNKNOWN	(512) 646-4426	0s	PLACED	4:01 PM EST Wed. Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	4:01 PM EST Wed. Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	4:01 PM EST Wed. Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	4:01 PM EST Wed. Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	4:00 PM EST Wed. Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	4:00 PM EST Wed. Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	4:00 PM EST Wed. Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	2:52 PM EST Wed. Sep 27, 2017
UNKNOWN	(888) 201-2244	0s	PLACED	2:31 PM EST Wed. Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	2:31 PM EST Wed. Sep 27, 2017
UNKNOWN	(800) 259-9231	0s	PLACED	2:31 PM EST Wed. Sep 27, 2017
UNKNOWN	(800) 259-9231	0s	PLACED	2:31 PM EST Wed. Sep 27, 2017
UNKNOWN	(800) 259-9231	0s	PLACED	2:31 PM EST Wed. Sep 27, 2017
UNKNOWN	(800) 259-9231	0s	PLACED	2:30 PM EST Wed. Sep 27, 2017
UNKNOWN	(800) 259-9231	0s	PLACED	2:30 PM EST Wed. Sep 27, 2017
UNKNOWN	(800) 259-9231	0s	PLACED	2:30 PM EST Wed. Sep 27, 2017
UNKNOWN	(800) 259-9231	1m 19s	PLACED	2:29 PM EST Wed. Sep 27, 2017
UNKNOWN	(512) 646-4426	27m 49s	PLACED	12:01 AM EST Wed. Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	12:01 AM EST Wed. Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	12:00 AM EST Wed. Sep 27, 2017
UNKNOWN	(888) 201-2244	0s	PLACED	12:00 AM EST Wed. Sep 27, 2017
UNKNOWN	(888) 201-2244	0s	PLACED	12:00 AM EST Wed. Sep 27, 2017
UNKNOWN	(888) 201-2244	0s	PLACED	12:00 AM EST Wed. Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	11:59 AM EST Wed. Sep 27, 2017
Compton E & K	(276) 629-4453	44s	RECEIVED	10:56 AM EST Wed. Sep 27, 2017
Compton E & K	(276) 629-4453	0s	MISSED	10:56 AM EST Wed. Sep 27, 2017
UNKNOWN	(512) 291-5750	42s	PLACED	10:36 AM EST Wed. Sep 27, 2017
UNKNOWN	(415) 633-6745	6s	PLACED	10:36 AM EST Wed. Sep 27, 2017
UNKNOWN	(512) 673-7360	3s	PLACED	10:35 AM EST Wed. Sep 27, 2017
UNKNOWN	(424) 288-0650	4s	PLACED	10:34 AM EST Wed. Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	10:32 AM EST Wed. Sep 27, 2017
UNKNOWN	(512) 291-5750	30s	PLACED	10:31 AM EST Wed. Sep 27, 2017
UNKNOWN	(512) 291-5750	44s	PLACED	10:30 AM EST Wed. Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	10:29 AM EST Wed. Sep 27, 2017
UNKNOWN	(512) 291-5750	4m 12s	PLACED	10:24 AM EST Wed. Sep 27, 2017
UNKNOWN	(512) 291-5750	4m 11s	PLACED	10:20 AM EST Wed. Sep 27, 2017
UNKNOWN	(512) 291-5750	3m 25s	PLACED	10:16 AM EST Wed. Sep 27, 2017
UNKNOWN	(512) 291-5750	2m 21s	PLACED	10:14 AM EST Wed. Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	10:13 AM EST Wed. Sep 27, 2017
UNKNOWN	(888) 201-2244	0s	PLACED	10:13 AM EST Wed. Sep 27, 2017
UNKNOWN	(888) 201-2244	0s	PLACED	10:12 AM EST Wed. Sep 27, 2017
UNKNOWN	(888) 201-2244	0s	PLACED	10:08 AM EST Wed. Sep 27, 2017

Name	PhoneNumber	Duration	Time	Date		
UNKNOWN	(888) 201-2244	0s	PLACED	10:06 AM EST	Wed.	Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	10:03 AM EST	Wed.	Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	10:03 AM EST	Wed.	Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	10:03 AM EST	Wed.	Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	10:03 AM EST	Wed.	Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	10:03 AM EST	Wed.	Sep 27, 2017
UNKNOWN	(888) 201-2244	0s	PLACED	10:03 AM EST	Wed.	Sep 27, 2017
UNKNOWN	(888) 201-2244	0s	PLACED	10:03 AM EST	Wed.	Sep 27, 2017
UNKNOWN	(888) 201-2244	0s	PLACED	10:03 AM EST	Wed.	Sep 27, 2017
UNKNOWN	(888) 201-2244	0s	PLACED	10:02 AM EST	Wed.	Sep 27, 2017
UNKNOWN	(888) 201-2244	0s	PLACED	10:02 AM EST	Wed.	Sep 27, 2017
UNKNOWN	(888) 201-2244	0s	PLACED	10:02 AM EST	Wed.	Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	10:01 AM EST	Wed.	Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	10:01 AM EST	Wed.	Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	10:01 AM EST	Wed.	Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	10:01 AM EST	Wed.	Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	10:00 AM EST	Wed.	Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	9:59 AM EST	Wed.	Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	9:59 AM EST	Wed.	Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	9:59 AM EST	Wed.	Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	9:59 AM EST	Wed.	Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	9:59 AM EST	Wed.	Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	9:58 AM EST	Wed.	Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	9:58 AM EST	Wed.	Sep 27, 2017
UNKNOWN	(512) 646-4426	46m 4s	PLACED	4:08 PM EST	Tue.	Sep 26, 2017
UNKNOWN	(214) 505-8273	52s	PLACED	11:41 AM EST	Tue.	Sep 26, 2017
Cell Phone TX	(214) 505-8273	0s	MISSED	11:40 AM EST	Tue.	Sep 26, 2017
Cell Phone TX	(214) 505-8273	2m 4s	RECEIVED	11:40 AM EST	Tue.	Sep 26, 2017
UNKNOWN	(540) 488-5307	1m 11s	PLACED	11:34 AM EST	Tue.	Sep 26, 2017
UNKNOWN	(540) 483-2468	0s	PLACED	11:32 AM EST	Tue.	Sep 26, 2017
UNKNOWN	(540) 483-2468	3m 11s	PLACED	11:26 AM EST	Tue.	Sep 26, 2017
UNKNOWN	(276) 957-5684	0s	PLACED	11:23 AM EST	Tue.	Sep 26, 2017
UNKNOWN	(276) 629-4453	45s	PLACED	11:21 AM EST	Tue.	Sep 26, 2017
UNKNOWN	(415) 633-6745	7s	PLACED	11:09 PM EST	Mon.	Sep 25, 2017
UNKNOWN	(347) 759-6075	0s	PLACED	11:00 PM EST	Mon.	Sep 25, 2017
UNKNOWN	(347) 759-6075	0s	PLACED	10:33 PM EST	Mon.	Sep 25, 2017
UNKNOWN	(818) 849-3481	4m 30s	PLACED	10:23 PM EST	Mon.	Sep 25, 2017
UNKNOWN	(818) 849-3481	14m 41s	PLACED	10:08 PM EST	Mon.	Sep 25, 2017
UNKNOWN	(276) 632-2599	2m 29s	PLACED	9:00 PM EST	Mon.	Sep 25, 2017
FORNASH KENNETH	(276) 632-2599	0m 12s	RECEIVED	7:58 PM EST	Mon.	Sep 25, 2017
UNKNOWN	(276) 632-2599	17m 4s	PLACED	5:13 PM EST	Mon.	Sep 25, 2017
UNKNOWN	(512) 646-4426	55m 9s	PLACED	4:10 PM EST	Mon.	Sep 25, 2017

Name	PhoneNumber	Duration	Time	Date		
UNKNOWN	(512) 646-4426	0s	PLACED	4:10 PM EST	Mon.	Sep 25, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	4:10 PM EST	Mon.	Sep 25, 2017
UNKNOWN	(888) 201-2244	0s	PLACED	4:10 PM EST	Mon.	Sep 25, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	4:09 PM EST	Mon.	Sep 25, 2017
UNKNOWN	(276) 632-6222	26s	PLACED	3:52 PM EST	Mon.	Sep 25, 2017
UNKNOWN	(434) 793-7147	1m 39s	PLACED	3:45 PM EST	Mon.	Sep 25, 2017
UNKNOWN	(276) 632-2599	14m 55s	PLACED	2:41 PM EST	Mon.	Sep 25, 2017
UNKNOWN	(276) 632-2599	4m 29s	PLACED	2:36 PM EST	Mon.	Sep 25, 2017
UNKNOWN	(276) 632-2599	0s	PLACED	2:34 PM EST	Mon.	Sep 25, 2017
UNKNOWN	(310) 203-4721	8m 57s	PLACED	2:24 PM EST	Mon.	Sep 25, 2017
UNKNOWN	(276) 634-4499	1m 29s	PLACED	2:22 PM EST	Mon.	Sep 25, 2017
NCAVF	(310) 203-4721	0s	MISSED	1:27 PM EST	Mon.	Sep 25, 2017
NCAVF	(310) 203-4721	36s	RECEIVED	1:27 PM EST	Mon.	Sep 25, 2017
FORNASH KENNETH	(276) 632-2599	48m 44s	RECEIVED	11:36 AM EST	Sat.	Sep 23, 2017
UNKNOWN	(276) 632-2599	40m 34s	PLACED	5:52 PM EST	Fri.	Sep 22, 2017
CARILION	(540) 526-1000	43s	RECEIVED	3:05 PM EST	Fri.	Sep 22, 2017
CARILION	(540) 526-1000	0s	MISSED	3:05 PM EST	Fri.	Sep 22, 2017
UNKNOWN	(276) 632-2599	56m 55s	PLACED	5:36 PM EST	Wed.	Sep 20, 2017
CARILION CLINIC	(540) 224-5170	34s	RECEIVED	5:35 PM EST	Wed.	Sep 20, 2017
UNKNOWN	(276) 632-2599	35s	PLACED	5:34 PM EST	Wed.	Sep 20, 2017
CARILION HEALTH	(276) 634-4499	0s	MISSED	2:25 PM EST	Tue.	Sep 19, 2017
CARILION HEALTH	(276) 634-4499	29s	RECEIVED	2:25 PM EST	Tue.	Sep 19, 2017
ZIMMER WILLIAM	(276) 670-3300	54s	RECEIVED	5:40 PM EST	Mon.	Sep 18, 2017
UNKNOWN	(540) 598-0440	1m 13s	PLACED	4:09 PM EST	Mon.	Sep 18, 2017
UNKNOWN	(424) 288-0650	3s	PLACED	9:31 PM EST	Thu.	Sep 14, 2017
UNKNOWN	(512) 673-7360	17s	PLACED	7:55 PM EST	Thu.	Sep 14, 2017
UNKNOWN	(202) 262-3034	10s	PLACED	7:54 PM EST	Thu.	Sep 14, 2017
UNKNOWN	(424) 288-0650	14s	PLACED	7:53 PM EST	Thu.	Sep 14, 2017
UNKNOWN	(276) 224-4527	29m 45s	PLACED	4:47 PM EST	Thu.	Sep 14, 2017
UNKNOWN	(276) 224-4527	2s	PLACED	4:46 PM EST	Thu.	Sep 14, 2017
UNKNOWN	(276) 224-4527	18m 13s	PLACED	9:48 PM EST	Wed.	Sep 13, 2017
UNKNOWN	(424) 288-0650	14s	PLACED	9:47 PM EST	Wed.	Sep 13, 2017
UNKNOWN	(276) 224-4527	0s	PLACED	9:47 PM EST	Wed.	Sep 13, 2017
UNKNOWN	(276) 224-4527	11m 50s	PLACED	4:59 PM EST	Wed.	Sep 13, 2017
UNKNOWN	(540) 598-0440	2m 10s	PLACED	4:56 PM EST	Wed.	Sep 13, 2017
UNKNOWN	(888) 201-2244	44m 2s	PLACED	4:07 PM EST	Wed.	Sep 13, 2017
UNKNOWN	(512) 646-4426	9m 19s	PLACED	3:57 PM EST	Wed.	Sep 13, 2017
Cell Phone VA	(276) 224-4527	19m 42s	RECEIVED	10:39 PM EST	Tue.	Sep 12, 2017
UNKNOWN	(424) 288-0650	5s	PLACED	8:24 PM EST	Tue.	Sep 12, 2017
UNKNOWN	(424) 288-0650	4s	PLACED	5:18 PM EST	Tue.	Sep 12, 2017
UNKNOWN	(276) 632-0180	2m 52s	PLACED	5:03 PM EST	Tue.	Sep 12, 2017
UNKNOWN	(888) 201-2244	0s	PLACED	4:53 PM EST	Tue.	Sep 12, 2017

Call History xfinity connect

(276) 790-3505
Rbhill67@comcast.net

Name	PhoneNumber	Duration	Time	Date		
WATSON BETTY	(336) 681-0304	0s	MISSED	11:20 PM EST	Sun.	Oct 22, 2017
WATSON BETTY	(336) 681-0304	27s	RECEIVED	11:20 PM EST	Sun.	Oct 22, 2017
UNKNOWN	(336) 681-0304	10s	PLACED	11:19 PM EST	Sun.	Oct 22, 2017
UNKNOWN	(276) 632-2599	16m 26s	PLACED	10:58 PM EST	Sun.	Oct 22, 2017
UNKNOWN	(336) 358-1314	0s	PLACED	10:57 PM EST	Sun.	Oct 22, 2017
UNKNOWN	(336) 954-3856	7s	PLACED	10:56 PM EST	Sun.	Oct 22, 2017
UNKNOWN	(336) 375-8888	0s	PLACED	10:55 PM EST	Sun.	Oct 22, 2017
UNKNOWN	(336) 617-7932	0s	PLACED	10:53 PM EST	Sun.	Oct 22, 2017
UNKNOWN	(800) 743-6179	60s	PLACED	7:54 PM EST	Sat.	Oct 21, 2017
TLC	(636) 534-2384	10s	RECEIVED	9:51 AM EST	Sat.	Oct 21, 2017
TLC	(636) 534-2384	0s	MISSED	9:51 AM EST	Sat.	Oct 21, 2017
UNKNOWN	(276) 632-2599	19m 22s	PLACED	9:41 PM EST	Fri.	Oct 20, 2017
UNKNOWN	(336) 333-5005	2m 16s	PLACED	9:19 PM EST	Fri.	Oct 20, 2017
UNKNOWN	(336) 333-5005	2m 30s	PLACED	9:15 PM EST	Fri.	Oct 20, 2017
UNKNOWN	(202) 262-3034	5s	PLACED	8:01 PM EST	Fri.	Oct 20, 2017
UNKNOWN	(424) 288-0650	4m 16s	PLACED	7:56 PM EST	Fri.	Oct 20, 2017
UNKNOWN	(512) 998-4705	3m 25s	PLACED	7:51 PM EST	Fri.	Oct 20, 2017
UNKNOWN	(512) 998-4705	6s	PLACED	7:50 PM EST	Fri.	Oct 20, 2017
UNKNOWN	(512) 825-7826	16s	PLACED	7:50 PM EST	Fri.	Oct 20, 2017
UNKNOWN	(773) 837-8300	6s	PLACED	7:49 PM EST	Fri.	Oct 20, 2017
UNKNOWN	(707) 540-1473	2s	PLACED	7:48 PM EST	Fri.	Oct 20, 2017
UNKNOWN	(202) 262-3034	3s	PLACED	7:46 PM EST	Fri.	Oct 20, 2017
UNKNOWN	(202) 262-3034	10s	PLACED	7:45 PM EST	Fri.	Oct 20, 2017
UNKNOWN	(202) 262-3034	7s	PLACED	7:45 PM EST	Fri.	Oct 20, 2017
TLC	(636) 534-2384	10s	RECEIVED	6:29 PM EST	Fri.	Oct 20, 2017
TLC	(636) 534-2384	0s	MISSED	6:29 PM EST	Fri.	Oct 20, 2017
UNKNOWN	(276) 632-2599	24m 12s	PLACED	9:26 PM EST	Thu.	Oct 19, 2017
UNKNOWN	(276) 632-2599	2m 49s	PLACED	9:22 PM EST	Thu.	Oct 19, 2017
UNKNOWN	(276) 632-2599	48m 56s	PLACED	6:59 PM EST	Thu.	Oct 19, 2017
TLC	(636) 534-2384	0s	MISSED	10:27 AM EST	Thu.	Oct 19, 2017
TLC	(636) 534-2384	3s	RECEIVED	10:27 AM EST	Thu.	Oct 19, 2017
TLC	(636) 534-2384	0s	MISSED	4:32 PM EST	Wed.	Oct 18, 2017
TLC	(636) 534-2384	0s	MISSED	9:13 AM EST	Wed.	Oct 18, 2017
TLC	(636) 534-2384	18s	RECEIVED	9:13 AM EST	Wed.	Oct 18, 2017
TLC	(636) 534-2384	36s	RECEIVED	7:13 PM EST	Tue.	Oct 17, 2017
TLC	(636) 534-2384	0s	MISSED	7:13 PM EST	Tue.	Oct 17, 2017
WIRELESS CALLER	(209) 518-3036	0s	MISSED	4:41 PM EST	Mon.	Oct 16, 2017
UNKNOWN	(919) 962-6136	15m 15s	PLACED	4:21 PM EST	Mon.	Oct 16, 2017
UNKNOWN	(919) 962-7765	12m 44s	PLACED	4:03 PM EST	Mon.	Oct 16, 2017
FORNASH KENNETH	(276) 632-2599	1m 3s	RECEIVED	10:04 AM EST	Sun.	Oct 15, 2017

3129

Name	PhoneNumber	Duration	Time	Date		
ROB DE	(512) 825-7826	9s	RECEIVED	1:56 PM EST	Sat.	Oct 14, 2017
ROB DE	(512) 825-7826	0s	MISSED	1:56 PM EST	Sat.	Oct 14, 2017
UNKNOWN	(512) 825-7826	3s	PLACED	11:49 PM EST	Fri.	Oct 13, 2017
WIRELESS CALLER	(315) 690-9176	0s	MISSED	4:23 PM EST	Fri.	Oct 13, 2017
FORNASH KENNETH	(276) 632-2599	17m 26s	RECEIVED	10:26 AM EST	Fri.	Oct 13, 2017
FORNASH KENNETH	(276) 632-2599	14m 40s	RECEIVED	9:29 AM EST	Fri.	Oct 13, 2017
UNKNOWN	(512) 363-3281	3m 18s	PLACED	7:32 PM EST	Wed.	Oct 11, 2017
UNKNOWN	(512) 825-7826	3m 28s	PLACED	7:26 PM EST	Wed.	Oct 11, 2017
UNKNOWN	(540) 598-0440	1m 47s	PLACED	3:58 PM EST	Wed.	Oct 11, 2017
FORNASH KENNETH	(276) 632-2599	8m 48s	RECEIVED	8:54 AM EST	Wed.	Oct 11, 2017
UNKNOWN	(315) 673-7198	8s	PLACED	9:37 PM EST	Tue.	Oct 10, 2017
UNKNOWN	(202) 646-5172	20s	PLACED	9:35 PM EST	Tue.	Oct 10, 2017
UNKNOWN	(276) 632-2599	45m 18s	PLACED	4:15 PM EST	Tue.	Oct 10, 2017
UNKNOWN	(540) 598-0440	1m 4s	PLACED	2:53 PM EST	Tue.	Oct 10, 2017
UNKNOWN	(276) 632-2599	28m 20s	PLACED	10:00 PM EST	Mon.	Oct 9, 2017
UNKNOWN	(814) 835-6786	9s	PLACED	6:50 PM EST	Mon.	Oct 9, 2017
UNKNOWN	(512) 246-9549	53s	PLACED	3:12 PM EST	Mon.	Oct 9, 2017
UNKNOWN	(800) 724-2719	30s	PLACED	3:11 PM EST	Mon.	Oct 9, 2017
UNKNOWN	(845) 557-3349	0s	PLACED	3:03 PM EST	Mon.	Oct 9, 2017
UNKNOWN	(877) 789-2539	0s	PLACED	3:01 PM EST	Mon.	Oct 9, 2017
UNKNOWN	(877) 789-2539	0s	PLACED	3:01 PM EST	Mon.	Oct 9, 2017
UNKNOWN	(877) 789-2539	0s	PLACED	3:01 PM EST	Mon.	Oct 9, 2017
UNKNOWN	(877) 789-2539	8m 8s	PLACED	1:53 PM EST	Mon.	Oct 9, 2017
UNKNOWN	(877) 789-2539	0s	PLACED	1:45 PM EST	Mon.	Oct 9, 2017
Bond Margaretta	(309) 525-2705	56s	RECEIVED	1:08 AM EST	Mon.	Oct 9, 2017
UNKNOWN	(309) 525-2705	6s	PLACED	1:07 AM EST	Mon.	Oct 9, 2017
UNKNOWN	(516) 736-2925	0s	PLACED	12:52 AM EST	Mon.	Oct 9, 2017
UNKNOWN	(516) 736-2925	0s	PLACED	12:44 AM EST	Mon.	Oct 9, 2017
UNKNOWN	(845) 557-3349	0s	PLACED	12:09 AM EST	Mon.	Oct 9, 2017
UNKNOWN	(512) 352-0129	2m 16s	PLACED	10:47 PM EST	Sun.	Oct 8, 2017
UNKNOWN	(512) 352-0129	2m 41s	PLACED	10:44 PM EST	Sun.	Oct 8, 2017
UNKNOWN	(276) 632-2599	45m 53s	PLACED	10:31 PM EST	Sat.	Oct 7, 2017
FORNASH KENNETH	(276) 632-2599	11m 17s	RECEIVED	10:06 AM EST	Fri.	Oct 6, 2017
UNKNOWN	(512) 443-6940	8s	PLACED	9:25 PM EST	Thu.	Oct 5, 2017
UNKNOWN	(512) 443-5856	0s	PLACED	2:03 PM EST	Thu.	Oct 5, 2017
UNKNOWN	(276) 632-2599	22m 58s	PLACED	1:23 PM EST	Thu.	Oct 5, 2017
UNKNOWN	(540) 483-2468	36s	PLACED	1:22 PM EST	Thu.	Oct 5, 2017
U.S. CELLULAR	(540) 483-2468	23s	RECEIVED	10:04 AM EST	Thu.	Oct 5, 2017
UNKNOWN	(325) 333-1370	7s	PLACED	2:57 AM EST	Thu.	Oct 5, 2017
UNKNOWN	(512) 382-1694	0s	PLACED	12:22 AM EST	Thu.	Oct 5, 2017
UNKNOWN	(512) 382-1694	0s	PLACED	11:44 PM EST	Wed.	Oct 4, 2017
SOVAH DANVILLE	(434) 799-4488	48s	RECEIVED	10:32 AM EST	Wed.	Oct 4, 2017

Name	PhoneNumber	Duration	Time	Date		
SOVAH DANVILLE	(434) 799-4488	0s	MISSED	10:32 AM EST	Wed.	Oct 4, 2017
ROTO ROOTER SRV	(434) 685-3047	26s	RECEIVED	6:36 PM EST	Tue.	Oct 3, 2017
UNKNOWN	(276) 634-0088	22s	PLACED	6:25 PM EST	Tue.	Oct 3, 2017
ROTO ROOTER SRV	(434) 685-3047	14s	RECEIVED	5:04 PM EST	Tue.	Oct 3, 2017
UNKNOWN	(276) 634-0088	2m 11s	PLACED	3:27 PM EST	Tue.	Oct 3, 2017
Martinsville VA	(276) 622-3386	1m 19s	RECEIVED	10:07 AM EST	Tue.	Oct 3, 2017
UNKNOWN	(540) 857-5181	3m 39s	PLACED	1:35 AM EST	Tue.	Oct 3, 2017
UNKNOWN	(512) 291-5750	55s	PLACED	12:04 AM EST	Tue.	Oct 3, 2017
UNKNOWN	(512) 470-8290	0s	PLACED	11:08 PM EST	Mon.	Oct 2, 2017
UNKNOWN	(276) 226-4614	1m 12s	PLACED	10:31 AM EST	Mon.	Oct 2, 2017
FORNASH KENNETH	(276) 632-2599	23m 9s	RECEIVED	9:23 PM EST	Sun.	Oct 1, 2017
FORNASH KENNETH	(276) 632-2599	5s	RECEIVED	9:01 AM EST	Sun.	Oct 1, 2017
FORNASH KENNETH	(276) 632-2599	0s	MISSED	9:01 AM EST	Sun.	Oct 1, 2017
UNKNOWN	(917) 975-7659	7s	PLACED	1:29 AM EST	Sat.	Sep 30, 2017
UNKNOWN	(212) 443-2222	12s	PLACED	1:26 AM EST	Sat.	Sep 30, 2017
UNKNOWN	(540) 598-0440	5s	PLACED	5:12 PM EST	Fri.	Sep 29, 2017
UNKNOWN	(276) 632-6222	21s	PLACED	12:36 AM EST	Fri.	Sep 29, 2017
UNKNOWN	(276) 632-2599	39m 2s	PLACED	12:00 AM EST	Fri.	Sep 29, 2017
UNKNOWN	(276) 632-2599	46m 55s	PLACED	5:58 PM EST	Thu.	Sep 28, 2017
UNKNOWN	(540) 598-0440	45s	PLACED	4:55 PM EST	Thu.	Sep 28, 2017
UNKNOWN	(276) 632-2599	45m 4s	PLACED	6:43 PM EST	Wed.	Sep 27, 2017
UNKNOWN	(512) 646-4426	33m 20s	PLACED	6:07 PM EST	Wed.	Sep 27, 2017
UNKNOWN	(512) 646-4426	36m 40s	PLACED	5:30 PM EST	Wed.	Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	5:30 PM EST	Wed.	Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	5:30 PM EST	Wed.	Sep 27, 2017
UNKNOWN	(888) 201-2244	0s	PLACED	5:22 PM EST	Wed.	Sep 27, 2017
UNKNOWN	(888) 201-2244	0s	PLACED	5:18 PM EST	Wed.	Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	5:18 PM EST	Wed.	Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	5:17 PM EST	Wed.	Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	5:14 PM EST	Wed.	Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	5:13 PM EST	Wed.	Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	5:11 PM EST	Wed.	Sep 27, 2017
UNKNOWN	(512) 646-4426	49s	PLACED	5:09 PM EST	Wed.	Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	4:56 PM EST	Wed.	Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	4:43 PM EST	Wed.	Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	4:38 PM EST	Wed.	Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	4:35 PM EST	Wed.	Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	4:35 PM EST	Wed.	Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	4:35 PM EST	Wed.	Sep 27, 2017
UNKNOWN	(888) 201-2244	0s	PLACED	4:35 PM EST	Wed.	Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	4:35 PM EST	Wed.	Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	4:01 PM EST	Wed.	Sep 27, 2017

3131

Name	PhoneNumber	Duration	Time	Date
UNKNOWN	(512) 646-4426	0s	PLACED	4:01 PM EST Wed. Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	4:01 PM EST Wed. Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	4:01 PM EST Wed. Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	4:01 PM EST Wed. Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	4:00 PM EST Wed. Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	4:00 PM EST Wed. Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	4:00 PM EST Wed. Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	2:52 PM EST Wed. Sep 27, 2017
UNKNOWN	(888) 201-2244	0s	PLACED	2:31 PM EST Wed. Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	2:31 PM EST Wed. Sep 27, 2017
UNKNOWN	(800) 259-9231	0s	PLACED	2:31 PM EST Wed. Sep 27, 2017
UNKNOWN	(800) 259-9231	0s	PLACED	2:31 PM EST Wed. Sep 27, 2017
UNKNOWN	(800) 259-9231	0s	PLACED	2:31 PM EST Wed. Sep 27, 2017
UNKNOWN	(800) 259-9231	0s	PLACED	2:30 PM EST Wed. Sep 27, 2017
UNKNOWN	(800) 259-9231	0s	PLACED	2:30 PM EST Wed. Sep 27, 2017
UNKNOWN	(800) 259-9231	0s	PLACED	2:30 PM EST Wed. Sep 27, 2017
UNKNOWN	(800) 259-9231	1m 19s	PLACED	2:29 PM EST Wed. Sep 27, 2017
UNKNOWN	(512) 646-4426	27m 49s	PLACED	12:01 AM EST Wed. Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	12:01 AM EST Wed. Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	12:00 AM EST Wed. Sep 27, 2017
UNKNOWN	(888) 201-2244	0s	PLACED	12:00 AM EST Wed. Sep 27, 2017
UNKNOWN	(888) 201-2244	0s	PLACED	12:00 AM EST Wed. Sep 27, 2017
UNKNOWN	(888) 201-2244	0s	PLACED	12:00 AM EST Wed. Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	11:59 AM EST Wed. Sep 27, 2017
Compton E & K	(276) 629-4453	44s	RECEIVED	10:56 AM EST Wed. Sep 27, 2017
Compton E & K	(276) 629-4453	0s	MISSED	10:56 AM EST Wed. Sep 27, 2017
UNKNOWN	(512) 291-5750	42s	PLACED	10:36 AM EST Wed. Sep 27, 2017
UNKNOWN	(415) 633-6745	6s	PLACED	10:36 AM EST Wed. Sep 27, 2017
UNKNOWN	(512) 673-7360	3s	PLACED	10:35 AM EST Wed. Sep 27, 2017
UNKNOWN	(424) 288-0650	4s	PLACED	10:34 AM EST Wed. Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	10:32 AM EST Wed. Sep 27, 2017
UNKNOWN	(512) 291-5750	30s	PLACED	10:31 AM EST Wed. Sep 27, 2017
UNKNOWN	(512) 291-5750	44s	PLACED	10:30 AM EST Wed. Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	10:29 AM EST Wed. Sep 27, 2017
UNKNOWN	(512) 291-5750	4m 12s	PLACED	10:24 AM EST Wed. Sep 27, 2017
UNKNOWN	(512) 291-5750	4m 11s	PLACED	10:20 AM EST Wed. Sep 27, 2017
UNKNOWN	(512) 291-5750	3m 25s	PLACED	10:16 AM EST Wed. Sep 27, 2017
UNKNOWN	(512) 291-5750	2m 21s	PLACED	10:14 AM EST Wed. Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	10:13 AM EST Wed. Sep 27, 2017
UNKNOWN	(888) 201-2244	0s	PLACED	10:13 AM EST Wed. Sep 27, 2017
UNKNOWN	(888) 201-2244	0s	PLACED	10:12 AM EST Wed. Sep 27, 2017
UNKNOWN	(888) 201-2244	0s	PLACED	10:08 AM EST Wed. Sep 27, 2017

Name	PhoneNumber	Duration	Time	Date		
UNKNOWN	(888) 201-2244	0s	PLACED	10:06 AM EST	Wed.	Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	10:03 AM EST	Wed.	Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	10:03 AM EST	Wed.	Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	10:03 AM EST	Wed.	Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	10:03 AM EST	Wed.	Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	10:03 AM EST	Wed.	Sep 27, 2017
UNKNOWN	(888) 201-2244	0s	PLACED	10:03 AM EST	Wed.	Sep 27, 2017
UNKNOWN	(888) 201-2244	0s	PLACED	10:03 AM EST	Wed.	Sep 27, 2017
UNKNOWN	(888) 201-2244	0s	PLACED	10:03 AM EST	Wed.	Sep 27, 2017
UNKNOWN	(888) 201-2244	0s	PLACED	10:02 AM EST	Wed.	Sep 27, 2017
UNKNOWN	(888) 201-2244	0s	PLACED	10:02 AM EST	Wed.	Sep 27, 2017
UNKNOWN	(888) 201-2244	0s	PLACED	10:02 AM EST	Wed.	Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	10:01 AM EST	Wed.	Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	10:01 AM EST	Wed.	Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	10:01 AM EST	Wed.	Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	10:01 AM EST	Wed.	Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	10:00 AM EST	Wed.	Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	9:59 AM EST	Wed.	Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	9:59 AM EST	Wed.	Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	9:59 AM EST	Wed.	Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	9:59 AM EST	Wed.	Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	9:59 AM EST	Wed.	Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	9:58 AM EST	Wed.	Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	9:58 AM EST	Wed.	Sep 27, 2017
UNKNOWN	(512) 646-4426	46m 4s	PLACED	4:08 PM EST	Tue.	Sep 26, 2017
UNKNOWN	(214) 505-8273	52s	PLACED	11:41 AM EST	Tue.	Sep 26, 2017
Cell Phone TX	(214) 505-8273	0s	MISSED	11:40 AM EST	Tue.	Sep 26, 2017
Cell Phone TX	(214) 505-8273	2m 4s	RECEIVED	11:40 AM EST	Tue.	Sep 26, 2017
UNKNOWN	(540) 488-5307	1m 11s	PLACED	11:34 AM EST	Tue.	Sep 26, 2017
UNKNOWN	(540) 483-2468	0s	PLACED	11:32 AM EST	Tue.	Sep 26, 2017
UNKNOWN	(540) 483-2468	3m 11s	PLACED	11:26 AM EST	Tue.	Sep 26, 2017
UNKNOWN	(276) 957-5684	0s	PLACED	11:23 AM EST	Tue.	Sep 26, 2017
UNKNOWN	(276) 629-4453	45s	PLACED	11:21 AM EST	Tue.	Sep 26, 2017
UNKNOWN	(415) 633-6745	7s	PLACED	11:09 PM EST	Mon.	Sep 25, 2017
UNKNOWN	(347) 759-6075	0s	PLACED	11:00 PM EST	Mon.	Sep 25, 2017
UNKNOWN	(347) 759-6075	0s	PLACED	10:33 PM EST	Mon.	Sep 25, 2017
UNKNOWN	(818) 849-3481	4m 30s	PLACED	10:23 PM EST	Mon.	Sep 25, 2017
UNKNOWN	(818) 849-3481	14m 41s	PLACED	10:08 PM EST	Mon.	Sep 25, 2017
UNKNOWN	(276) 632-2599	2m 29s	PLACED	9:00 PM EST	Mon.	Sep 25, 2017
FORNASH KENNETH	(276) 632-2599	0m 12s	RECEIVED	7:58 PM EST	Mon.	Sep 25, 2017
UNKNOWN	(276) 632-2599	17m 4s	PLACED	5:13 PM EST	Mon.	Sep 25, 2017
UNKNOWN	(512) 646-4426	55m 9s	PLACED	4:10 PM EST	Mon.	Sep 25, 2017

Name	PhoneNumber	Duration	Time	Date		
UNKNOWN	(512) 646-4426	0s	PLACED	4:10 PM EST	Mon.	Sep 25, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	4:10 PM EST	Mon.	Sep 25, 2017
UNKNOWN	(888) 201-2244	0s	PLACED	4:10 PM EST	Mon.	Sep 25, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	4:09 PM EST	Mon.	Sep 25, 2017
UNKNOWN	(276) 632-6222	26s	PLACED	3:52 PM EST	Mon.	Sep 25, 2017
UNKNOWN	(434) 793-7147	1m 39s	PLACED	3:45 PM EST	Mon.	Sep 25, 2017
UNKNOWN	(276) 632-2599	14m 55s	PLACED	2:41 PM EST	Mon.	Sep 25, 2017
UNKNOWN	(276) 632-2599	4m 29s	PLACED	2:36 PM EST	Mon.	Sep 25, 2017
UNKNOWN	(276) 632-2599	0s	PLACED	2:34 PM EST	Mon.	Sep 25, 2017
UNKNOWN	(310) 203-4721	8m 57s	PLACED	2:24 PM EST	Mon.	Sep 25, 2017
UNKNOWN	(276) 634-4499	1m 29s	PLACED	2:22 PM EST	Mon.	Sep 25, 2017
NCAVF	(310) 203-4721	0s	MISSED	1:27 PM EST	Mon.	Sep 25, 2017
NCAVF	(310) 203-4721	36s	RECEIVED	1:27 PM EST	Mon.	Sep 25, 2017
FORNASH KENNETH	(276) 632-2599	48m 44s	RECEIVED	11:36 AM EST	Sat.	Sep 23, 2017
UNKNOWN	(276) 632-2599	40m 34s	PLACED	5:52 PM EST	Fri.	Sep 22, 2017
CARILION	(540) 526-1000	43s	RECEIVED	3:05 PM EST	Fri.	Sep 22, 2017
CARILION	(540) 526-1000	0s	MISSED	3:05 PM EST	Fri.	Sep 22, 2017
UNKNOWN	(276) 632-2599	56m 55s	PLACED	5:36 PM EST	Wed.	Sep 20, 2017
CARILION CLINIC	(540) 224-5170	34s	RECEIVED	5:35 PM EST	Wed.	Sep 20, 2017
UNKNOWN	(276) 632-2599	35s	PLACED	5:34 PM EST	Wed.	Sep 20, 2017
CARILION HEALTH	(276) 634-4499	0s	MISSED	2:25 PM EST	Tue.	Sep 19, 2017
CARILION HEALTH	(276) 634-4499	29s	RECEIVED	2:25 PM EST	Tue.	Sep 19, 2017
ZIMMER WILLIAM	(276) 670-3300	54s	RECEIVED	5:40 PM EST	Mon.	Sep 18, 2017
UNKNOWN	(540) 598-0440	1m 13s	PLACED	4:09 PM EST	Mon.	Sep 18, 2017
UNKNOWN	(424) 288-0650	3s	PLACED	9:31 PM EST	Thu.	Sep 14, 2017
UNKNOWN	(512) 673-7360	17s	PLACED	7:55 PM EST	Thu.	Sep 14, 2017
UNKNOWN	(202) 262-3034	10s	PLACED	7:54 PM EST	Thu.	Sep 14, 2017
UNKNOWN	(424) 288-0650	14s	PLACED	7:53 PM EST	Thu.	Sep 14, 2017
UNKNOWN	(276) 224-4527	29m 45s	PLACED	4:47 PM EST	Thu.	Sep 14, 2017
UNKNOWN	(276) 224-4527	2s	PLACED	4:46 PM EST	Thu.	Sep 14, 2017
UNKNOWN	(276) 224-4527	18m 13s	PLACED	9:48 PM EST	Wed.	Sep 13, 2017
UNKNOWN	(424) 288-0650	14s	PLACED	9:47 PM EST	Wed.	Sep 13, 2017
UNKNOWN	(276) 224-4527	0s	PLACED	9:47 PM EST	Wed.	Sep 13, 2017
UNKNOWN	(276) 224-4527	11m 50s	PLACED	4:59 PM EST	Wed.	Sep 13, 2017
UNKNOWN	(540) 598-0440	2m 10s	PLACED	4:56 PM EST	Wed.	Sep 13, 2017
UNKNOWN	(888) 201-2244	44m 2s	PLACED	4:07 PM EST	Wed.	Sep 13, 2017
UNKNOWN	(512) 646-4426	9m 19s	PLACED	3:57 PM EST	Wed.	Sep 13, 2017
Cell Phone VA	(276) 224-4527	19m 42s	RECEIVED	10:39 PM EST	Tue.	Sep 12, 2017
UNKNOWN	(424) 288-0650	5s	PLACED	8:24 PM EST	Tue.	Sep 12, 2017
UNKNOWN	(424) 288-0650	4s	PLACED	5:18 PM EST	Tue.	Sep 12, 2017
UNKNOWN	(276) 632-0180	2m 52s	PLACED	5:03 PM EST	Tue.	Sep 12, 2017
UNKNOWN	(888) 201-2244	0s	PLACED	4:53 PM EST	Tue.	Sep 12, 2017

Subject: Re: 953850 Mr. Brian D. Hill VS The Chimney Sweep - EVIDENCE OF CHIMNEY SWEEP BEING INVOLVED, EVIDENCE FOR ERIC FERGUSON (lawyer)
From: ROBERTA HILL <rbhill67@comcast.net>
Date: 7/1/2022, 2:09 PM
To: "Ziglar, Aaron M." <AZiglar@oag.state.va.us>, Attorney Eric Ferguson <eferguson@fergusonlaw.net>
CC: "stanleybolten@justiceforuswgo.nl" <StanleyBolten@justiceforuswgo.nl>, Ken & Stella Forinash <kenstella@comcast.net>, "kenstella2005@comcast.net" <kenstella2005@comcast.net>, "Coen, Chris" <ccoen@oag.state.va.us>

Aaron Ziglar and attorney Eric Ferguson,

I have more proof for dispute specialist Aaron M. Ziglar and attorney Eric Ferguson who represents The Chimney Sweep.

The phone number (540) 483-2468 belongs to a "James Cassell". See attachments: "540-483-2468 5404832468 is a phone.pdf"; and "FireShot Capture 1600 - 540-483-2468 - 5404832468 is a phone - www.usphonebook.com.png".

Who is your client? James Cassell, Eric???

He is the designated and the reported owner of who? "The Chimney Sweep" business in Rocky Mount, VA.

See attachments: "The Chimney Sweep Better Business Bureau® Profile.pdf"; and "FireShot Capture 1601 - The Chimney Sweep - Better Business Bureau® Profile - www.bbb.org.png".

Who is the owner of that business establishment? "Mr. James Cassell, Owner", same person as US Phone Book listed for the phone number (540) 483-2468. Same number in the Comcast phone logs records for my phone number 276-790-3505. Mr. JaCody Cassell, Manager is his son, I am assuming, right? Stella Forinash said in one letter to Dr. Graney and there was also an email to Jason McMurray about the carbon monoxide gas found which in the Forinash's letter dated March 21, 2019 to Dr. Graney the Forinash letter claimed that it was the son of that chimney company. That would be "Mr. JaCody Cassell, Manager". So Mr. JaCody Cassell, Manager was the one who highly likely sealed my chimney with the metal tin causing the carbon monoxide gas. Admit or deny, Eric Ferguson???

Citation from letter: "...It was the young son of the owner of the chimney company in Rocky Mount, VA who was sent to clean the fireplace (chimney sweep) and to put screen on all 3 holes to keep birds out of the fireplace; instead he put tin over all 3 holes including the hole for the natural gas heater and the gas water heater in the basement leaving no where for the gas and water steam to escape in October,

2017. None of us were aware that there was tin there and thought it was screen. This took care of the bird problem."

So I am involved with The Chimney Sweep. The complaint by Brian D. Hill was against the correct company. They did do work on my chimney. What else were the phone calls with them about? What was the $300 check for?

See the letters from Kenneth and Stella Forinash: Attachments: "letter-to-forensic-psychologist-March-21-2019.pdf"; and "Carbon-monoxide-poisoning-letter-March-10-2019.pdf"

Once I have the records from SunTrust bank, I am good to go. Those records will prove check was paid to The Chimney Sweep, and I bet it went to the bank account or cash out by "Mr. James Cassell, Owner", same person with the phone number (540) 483-2468.

Just wait on the bank account records for my bank account Aaron Ziglar.

Thanks,
Roberta Hill

On 7/1/2022 7:19 AM, ROBERTA HILL wrote:

> Aaron Ziglar,
>
> I have additional evidence/proof that this lawyer Eric Ferguson is repeating lies from The Chimney Sweep business. They are lying, the lawyer is repeating their lies.
>
> I have evidence, records printed from my Comcast internet and phone account for my phone number 276-790-3505 that my son had files in his legal records possession. He has proof that I called The Chimney Sweep multiple times and they called me multiple times (3 placed, 1 received). From their own business phone number. The records are there and the lawyer can verify by subpoenaing Comcast. I consent to the lawyer asking to verify these phone logs from the time periods mentioned in this email. I have provided screenshots of the phone logs with the highlights.
>
> This lawyer is acting as though I have no proof that The Chimney Sweep was involved with my chimney. That they made no estimate. That they did no work on my chimney or at my residence. I have two sources of proof that will dispel those lies. The Comcast phone logs, and the second proofs will be the bank account check records that I am attempting to request from TRUIST/SunTrust.
>
> We are still waiting for the records from my old SunTrust bank account and have forwarded you email proof that I had this bank account in October, 2017 but may not be able to access my online bank account statements because of the forced migration from SunTrust to First Horizon Bank in Martinsville. So attempting to receive those records will take time.
>
> HOWEVER this evidence proved my son's complaint is with MERIT.
>
> Maybe this lawyer needs to produce the copies of the contract for this chimney work for

attempting to defraud Mediator Aaron M. Ziglar of the Attorney General Office for Virginia because I have proven with evidence of records my son had in his possession, evidence. I printed the call logs for my son as per his request in 2017. He held printouts of this call log. He went to his legal case files, found the record and has given it to me in support of my son's complaint against The Chimney Sweep.

I have proven that the lawyer Eric Ferguson has made untruthful statements and that the complaint should not be dismissed as baseless. Lawyer Eric Ferguson by and through The Chimney Sweep has defrauded Aaron M. Ziglar of this process. His office has been defrauded.

The lawyer's claims are "BASELESS".

Eric Ferguson, your client for the business "THE CHIMNEY SWEEP" has the phone number (540) 483-2468. This number is on their verified owner profile at the Chamber of Commerce.com. This is their business phone number, for your client, The Chimney Sweep.

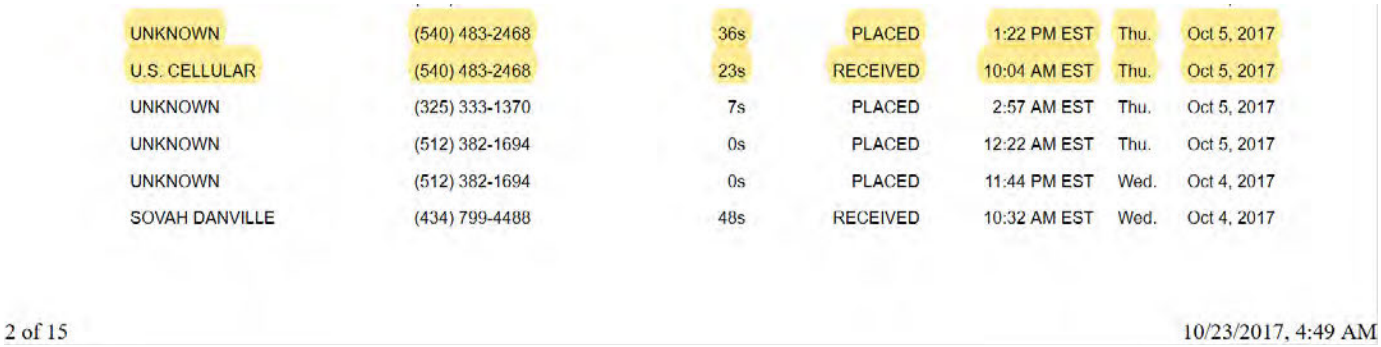
See attachment "The Chimney Sweep in Rocky Mount, VA 24151 - (540) 483-2468.pdf"

Now let's take a look at the phone logs my son had a copy of, by the grace of Lord Jesus, and God. Thanks to Jesus Christ and the Angels who protect my son from the demons, my son has records proving that The Chimney Sweep was contacting me and I was contacting them by phone, and the amount of time period that the call had placed and when the calls had been received. They will be highlighted for the lawyer to see. Sorry, Eric Ferguson.

See attachments: "Call History October 23 2017 4_50AM (pages 1-5 excerpt records)(2).pdf" with highlights to the phone numbers belonging to The Chimney Sweep; "Call History October 23 2017 4_50AM (pages 1-5 excerpt records).pdf"; The Chimney Sweep phone logs 1.png; and The Chimney Sweep phone logs 2.png.

UNKNOWN	(540) 483-2468	0s	PLACED	11:32 AM EST	Tue.	Sep 26, 2017
UNKNOWN	(540) 483-2468	3m 11s	PLACED	11:26 AM EST	Tue.	Sep 26, 2017
UNKNOWN	(276) 957-5684	0s	PLACED	11:23 AM EST	Tue.	Sep 26, 2017
UNKNOWN	(276) 629-4453	45s	PLACED	11:21 AM EST	Tue.	Sep 26, 2017
UNKNOWN	(415) 633-6745	7s	PLACED	11:09 PM EST	Mon.	Sep 25, 2017
UNKNOWN	(347) 759-6075	0s	PLACED	11:00 PM EST	Mon.	Sep 25, 2017
UNKNOWN	(347) 759-6075	0s	PLACED	10:33 PM EST	Mon.	Sep 25, 2017
UNKNOWN	(818) 849-3481	4m 30s	PLACED	10:23 PM EST	Mon.	Sep 25, 2017
UNKNOWN	(818) 849-3481	14m 41s	PLACED	10:08 PM EST	Mon.	Sep 25, 2017
UNKNOWN	(276) 632-2599	2m 29s	PLACED	9:00 PM EST	Mon.	Sep 25, 2017
FORNASH KENNETH	(276) 632-2599	0m 12s	RECEIVED	7:58 PM EST	Mon.	Sep 25, 2017
UNKNOWN	(276) 632-2599	17m 4s	PLACED	5:13 PM EST	Mon.	Sep 25, 2017
UNKNOWN	(512) 646-4426	55m 9s	PLACED	4:10 PM EST	Mon.	Sep 25, 2017

5 of 15 10/23/2017, 4:49 AM



UNKNOWN	(540) 483-2468	36s	PLACED	1:22 PM EST	Thu.	Oct 5, 2017
U.S. CELLULAR	(540) 483-2468	23s	RECEIVED	10:04 AM EST	Thu.	Oct 5, 2017
UNKNOWN	(325) 333-1370	7s	PLACED	2:57 AM EST	Thu.	Oct 5, 2017
UNKNOWN	(512) 382-1694	0s	PLACED	12:22 AM EST	Thu.	Oct 5, 2017
UNKNOWN	(512) 382-1694	0s	PLACED	11:44 PM EST	Wed.	Oct 4, 2017
SOVAH DANVILLE	(434) 799-4488	48s	RECEIVED	10:32 AM EST	Wed.	Oct 4, 2017

2 of 15 10/23/2017, 4:49 AM

Isn't that interesting, the same date I paid $300 to The Chimney Sweep, they called me one time and I received a phone call back, all on October 5, 2017. This matches the photograph of the check stub, $300 to The Chimney Sweep. This will also match the bank account records of the check paid to The Chimney Sweep.

All glory goes to God. God is helping me prove my son's innocence.

The Chimney Sweep by and through their lawyer, their representative Eric Ferguson has lied about their client not being involved with me or my chimney, lying about not being given an estimate by Eric's client, The Chimney Sweep. The phone call lasted 3 minutes and 11 seconds on September 26, 2017 at 11:26 AM EST, Tuesday. What was I talking for 3 minutes and 11 seconds for Mr. Eric (attorney)???????????

The Chimney Sweep needs to admit that they lied to Aaron Ziglar of The Attorney General Office on top of being involved with placing metal tin on top of the chimney. We have proof that The Chimney Sweep did work, they got paid $300 and phone records from their phone number, and the date of two phone call records on October 5, 2017. What do you have Eric Ferguson???

Brian David Hill = Innocence - Where We Go One We Go All (WWG1WGA)

Opinion: The Deep State may have pulled some things, but Brian my son is smart as a whip despite his Autism and his vulnerabilities. He somehow knew he was going to be set up with a crime of some sort, which became indecent exposure. It's like the Angels knew this was coming down the pike and gave Brian evidence he would need right now to disprove this lawyer. We give angels credit for this evidence. What are you going to say to this proof Eric Ferguson???

Eric Ferguson, You defrauded Aaron M. Ziglar, the Dispute Resolution Specialist of the Office of the Attorney General. Explain yourself.

Eric Ferguson I have a few questions for your client.

3138

Did your client ever get paid by anybody other than myself to do chimney work, like was your client ever paid to put metal tin on top of the chimney to put both me, Roberta Hill and my son Brian David Hill under carbon monoxide gas poisoning due to blocking exhaust from the gas hot water heater and gas radiator?

Was your client influenced in any way or did anybody ask somebody from The Chimney Sweep to put metal tin on top of the chimney to put both me, Roberta Hill and my son Brian David Hill under carbon monoxide gas poisoning due to blocking exhaust from the gas hot water heater and gas radiator?

Why did somebody working for The Chimney Sweep place metal tin on top of the chimney to put both me, Roberta Hill and my son Brian David Hill under carbon monoxide gas poisoning due to blocking exhaust from the gas hot water heater and gas radiator?

Why was The Chimney Sweep negligent in placing metal tin on top of the chimney of the Triplex me and my son both live in?

Why did The Chimney Sweep lie to they're hired attorney Eric Ferguson in order to make me, Roberta Hill and my son Brian David Hill look like liars?

Were you influenced by Commonwealth Attorney Glen Andrew Hall or Giles Carter Greer in any of this process? Did Glen Andrew Hall or Martinsville Police influence The Chimney Sweep to attempt to subvert this complaint process? Did Martinsville Police Chief Eddie Cassady influence you at all in this process?

Were you influenced by anybody working for the U.S. Attorney Office in the Middle District of North Carolina in any of this process? Did anybody at the U.S. Attorney Office influence The Chimney Sweep to attempt to subvert this complaint process?

Last question: **Did somebody from The Chimney Sweep place metal tin on top of the chimney at the Triplex located at 310 Forest Street, Martinsville, VA 24112 on October 5, 2017 and then was paid $300 by check for the work? Who placed the metal tin on top of the chimney? Why was metal; tin placed on top of the chimney?**

Please answer these questions Eric Ferguson, under oath. That way if you lie under oath, you can go to jail for perjury.

Thanks and God bless you all,
Roberta Hill

On 6/29/2022 9:44 AM, Ziglar, Aaron M. wrote:

> Dear Mr. Hill,
>
> Thank you for authorizing the Virginia Attorney General's Office to assist in the resolution of your dispute. Our Office has received the below written response from the business to your complaint. Please review it carefully and, if you would like to provide a response, please do so in writing within ten (10) business days from the date of this email.

3139

In the event I fail to hear from you in writing within ten business days, the complaint will be closed and no further action will be taken.

This Office will retain the complaint form and copies of all official correspondence regarding the complaint in accordance with the applicable state retention schedule. Under the Virginia Freedom of Information Act, please be advised that these materials will be available to the public for review, upon request.

If you have any additional information or need further assistance, please feel free to contact me or respond to this message.

Sincerely,

Aaron M. Ziglar
Dispute Resolution Specialist
Office of the Attorney General
202 North 9th Street
Richmond, Virginia 23219
(804) 786-1244 Office
AZiglar@oag.state.va.us
http://www.ag.virginia.gov



-

From: Eric Ferguson <eferguson@fergusonlaw.net>
Sent: Tuesday, June 28, 2022 10:54 AM
To: Ziglar, Aaron M. <AZiglar@oag.state.va.us>
Subject: Re: 953850 Mr. Brian D. Hill VS The Chimney Sweep

Mr. Ziglar--Thanks for speaking with me yesterday and allowing me to submit this response in email format. I really appreciate your working with me and my client on submitting this

response to the complaint of Mr. Hill.

My client is Jacody Cassell and he is the owner of The Chimney Sweep in Franklin County, VA. He has been the owner since 2016. His father had owned it from 1976 until 2016. Jacody has always worked for this company. His son works for him now and intends to take over the company one day.

The Chimney Sweep is a very reputable company and has had very few complaints made against them for their work. My client claims to have no knowledge of Brian D. Hill and Roberta Hill. My client has no records of ever providing an estimate for work to be done at the home of the Hills in Martinsville and he has no evidence of ever doing any work for the Hills at a home in Martinsville. My client has no record of ever being paid to do any work for the Hills. More importantly, until May 17, 2022, when Mr. Hill filed this complaint, my clients were never told about any of these claims.

My client has never done any work for the Hills. They have never received any complaints from the HIlls. One would think that it would not take 3-5 years to make a complaint. Mr. Hill is seeking damages for payment of his legal expenses as a result of criminal charges in 2018.

Mr. Hill's complaint is baseless and he has no evidence to support it. He has offered no contract, no estimate, and no evidence of payment. He has nothing with which to back up his complaint. Even if he did, the statute of limitations for bodily injury is two years. The appropriate statutes regarding contracts are 3 years for verbal agreements and 5 years for written agreements. Since he has no written one, one must assume that if he had an agreement, it would be verbal and therefore beyond that statute of limitation as well.

On behalf of The Chimney Sweep, I ask that this complaint be dismissed. There is no evidence to support this claim.

Please advise of any next step. Thank you for your time and consideration.

Eric H. Ferguson, Esq.

RHODES & FERGUSON ATTORNEYS AT LAW

305 S. Main Street

Rocky Mount, VA 24151

3141

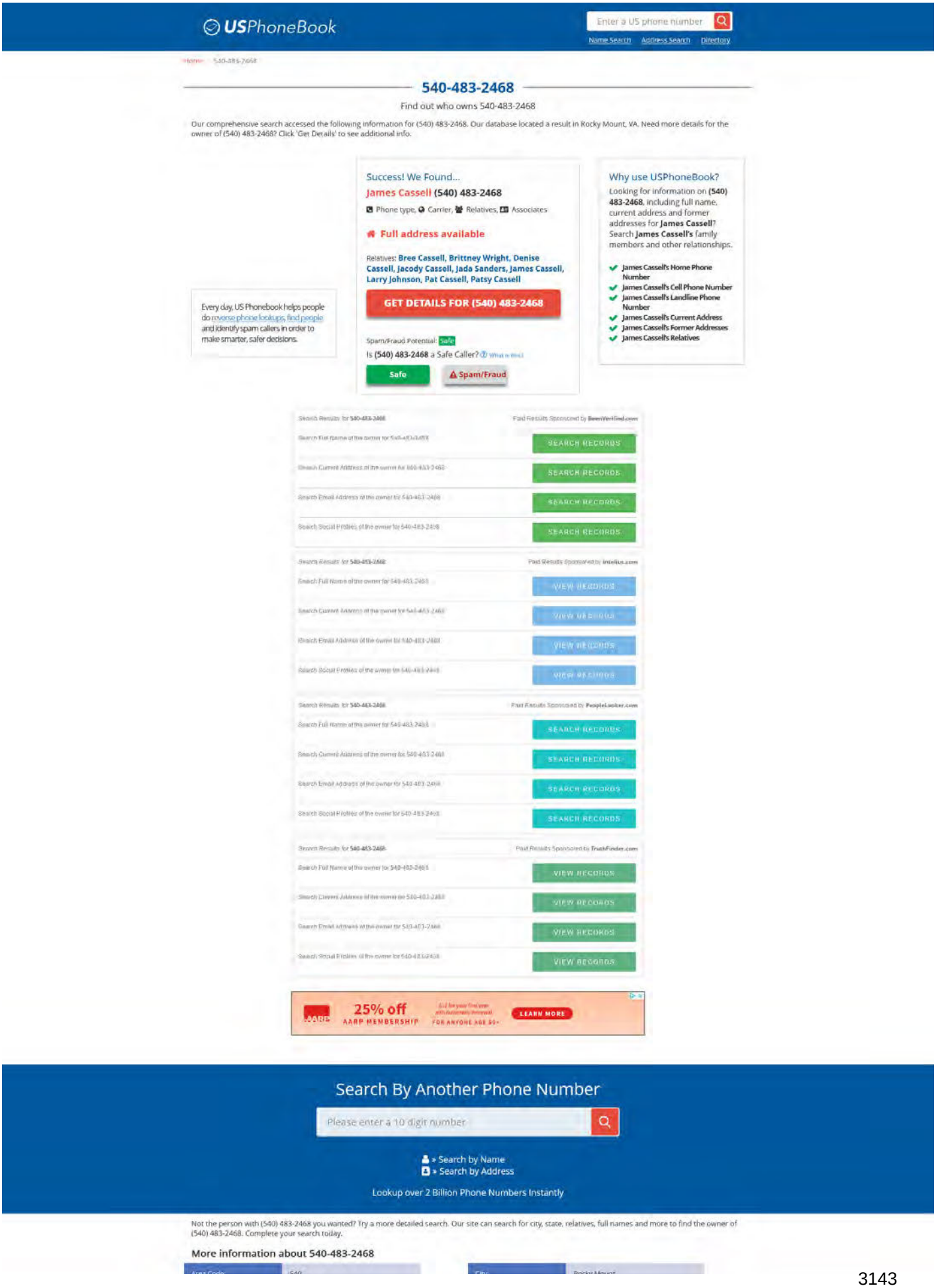
540-483-5234 (phone)

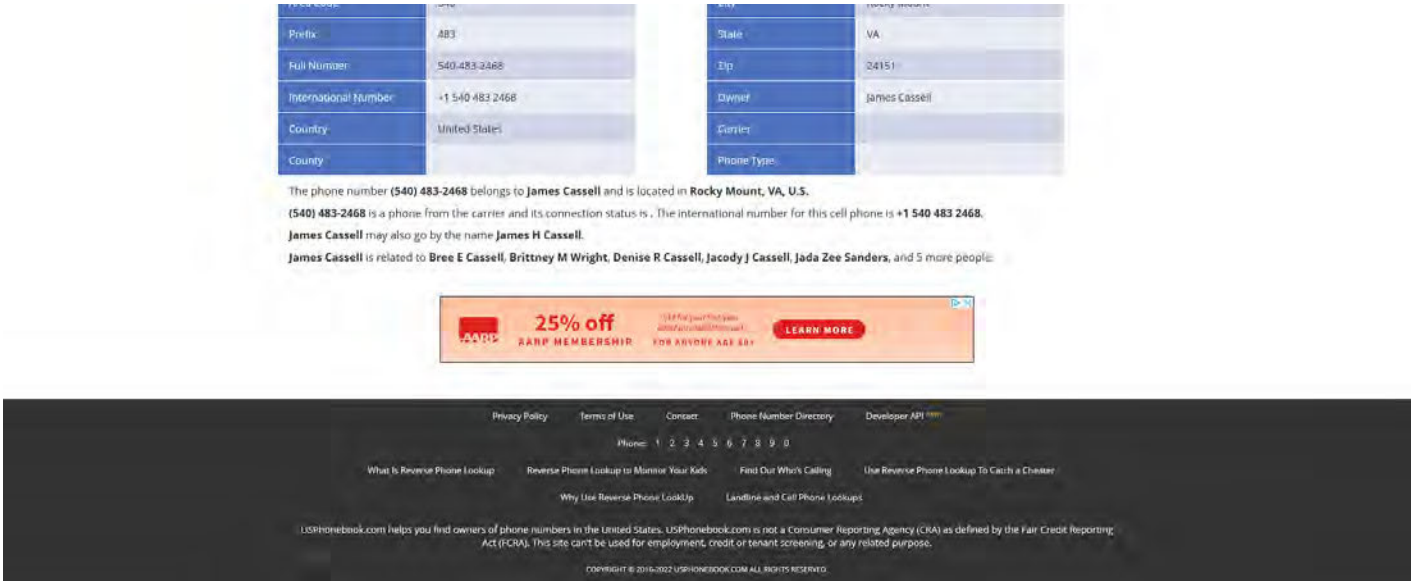
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eferguson@fergusonlaw.net

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Success! We Found...
James Cassell (540) 483-2468
Phone type, Carrier, Relatives, Associates
Full address available
Relatives: Bree Cassell, Brittney Wright, Denise Cassell, Jacody Cassell, Jada Sanders, James Cassell, Larry Johnson, Pat Cassell, Patsy Cassell
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More information about 540-483-2468



Prefix	483
Full Number	540-483-2468
International Number	+1 540 483 2468
Country	United States
County	

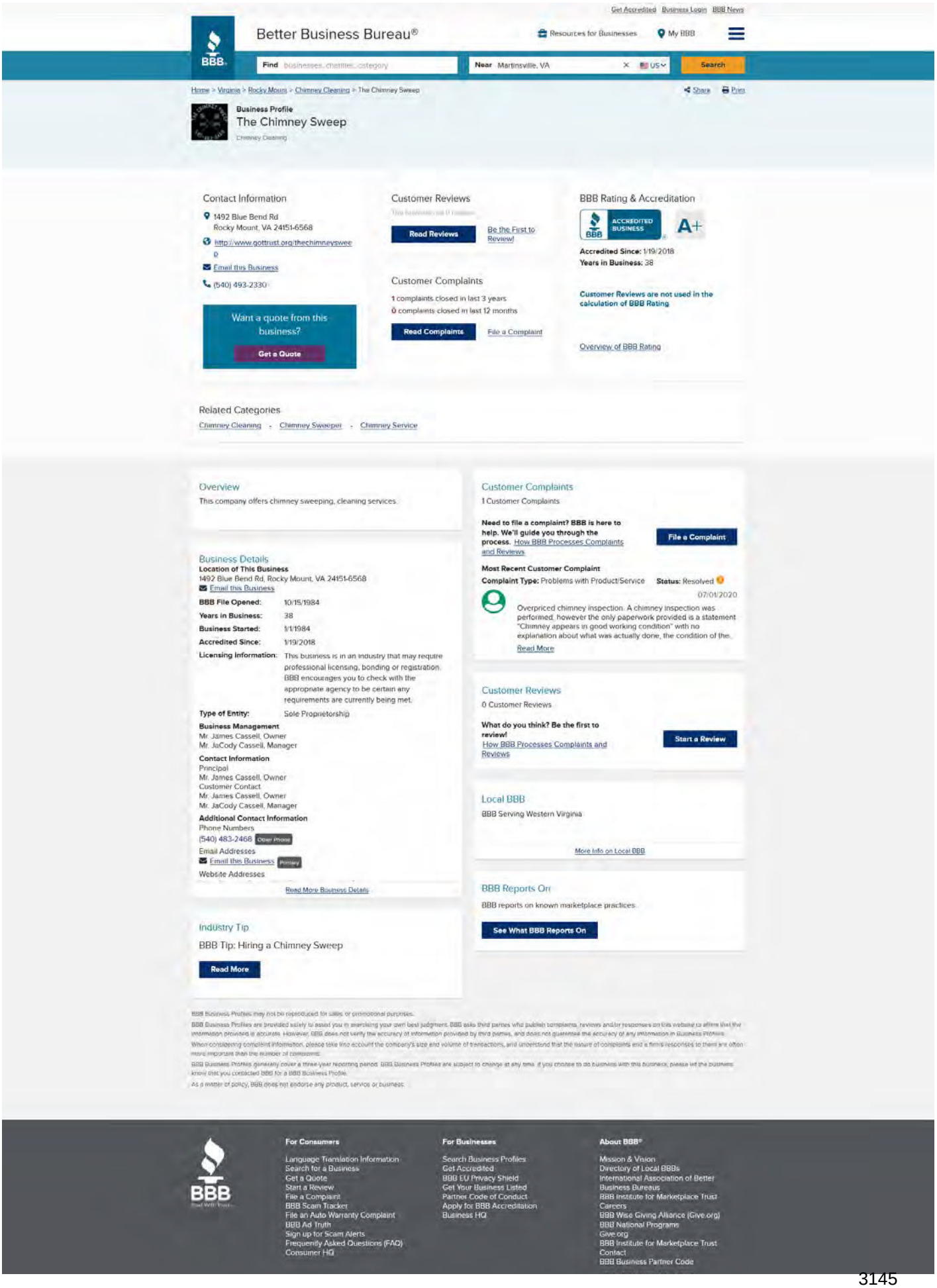
State	VA
Zip	24151
Owner	James Cassell
Carrier	
Phone Type	

The phone number **(540) 483-2468** belongs to **James Cassell** and is located in **Rocky Mount, VA, U.S.**
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Business Profile

The Chimney Sweep

Chimney Cleaning

Contact Information

1492 Blue Bend Rd
Rocky Mount, VA 24151-6568

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A+

Accredited Since: 1/19/2018

Years in Business: 38

Customer Reviews are not used in the calculation of BBB Rating

Overview of BBB Rating

Related Categories

Chimney Cleaning - Chimney Sweepers - Chimney Service

Overview

This company offers chimney sweeping, cleaning services.

Business Details

Location of This Business

1492 Blue Bend Rd, Rocky Mount, VA 24151-6568

Email this Business

BBB File Opened:	10/15/1984
Years in Business:	38
Business Started:	1/1/1984
Accredited Since:	1/19/2018
Licensing Information:	This business is in an industry that may require professional licensing, bonding or registration. BBB encourages you to check with the appropriate agency to be certain any requirements are currently being met.
Type of Entity:	Sole Proprietorship

Business Management

Mr. James Cassell, Owner

Mr. JaCody Cassell, Manager

Contact Information

Principal

Mr. James Cassell, Owner

Customer Contact

Mr. James Cassell, Owner

Mr. JaCody Cassell, Manager

Additional Contact Information

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(540) 483-2468 Other Phone

Email Addresses

Email this Business Primary

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Industry Tip

BBB Tip: Hiring a Chimney Sweep

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1 Customer Complaints

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File a Complaint

Most Recent Customer Complaint

Complaint Type: Problems with Product/Service Status: Resolved

07/01/2020

Overpriced chimney inspection. A chimney inspection was performed, however the only paperwork provided is a statement "Chimney appears in good working condition" with no explanation about what was actually done, the condition of the...

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Attachments:

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The Chimney Sweep Better Business Bureau® Profile.pdf	653 KB
FireShot Capture 1601 - The Chimney Sweep - Better Business Bureau® Profile - www.bbb.org.png	459 KB
letter-to-forensic-psychologist-March-21-2019.pdf	725 KB
Carbon-monoxide-poisoning-letter-March-10-2019.pdf	1.3 MB

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540-483-2468

Find out who owns 540-483-2468

Our comprehensive search accessed the following information for (540) 483-2468. Our database located a result in Rocky Mount, VA. Need more details for the owner of (540) 483-2468? Click 'Get Details' to see additional info.

Success! We Found...

James Cassell (540) 483-2468

Phone type (/james-cassell/UxYTMyQzM0kTNxcDNzYzM1czM00yR), Carrier (/james-cassell/UxYTMyQzM0kTNxcDNzYzM1czM00yR), Relatives (/james-cassell/UxYTMyQzM0kTNxcDNzYzM1czM00yR), Associates (/james-cassell/UxYTMyQzM0kTNxcDNzYzM1czM00yR)

Full address available (/james-cassell/UxYTMyQzM0kTNxcDNzYzM

Relatives: **Bree Cassell, (/bree-cassell/UQTNxUDMxIzM5UzM3gTO1AzMz0yR) Brittney Wright, (/brittney-wright/UEDMwkTM5kDMwgzN2QjN5EjNyIzR) Denise Cassell, (/denise-cassell/UMjNxUDO5kTO1czN5UDOygTMyMzR) Jacody Cassell, (/jacody-cassell/UYzN3QDOzQDOwgjNxETN3kDN20yR) Jada Sanders, (/jada-sanders/UwEDMygjMxADO4IzNwATNyITO10yR) James Cassell, (/james-cassell/UITO1kTNyMTNyYDO4UDM0QDOzIzR) Larry Johnson, (/larry-johnson/UyUDN2ADNzQTOzMzNxUzNyADN10yR) Pat Cassell, (/pat-cassell/UYTM2MTO3AjN3QDN4UzMwADMyQzR) Patsy Cassell (/patsy-cassell/U3gzMxgTM1UTO0ETO1EDM4gDMy0yR)**

GET DETAILS FOR (540) 483-2468

3147

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/UXYTMYQZM0KTNXCDNZYZM1CZM00YR)

Safe Spam/Fraud

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- **James Cassell's Current Address**
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Search Current Address of the owner for 540-483-2468

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Search Email Address of the owner for 540-483-2468

SEARCH RECORDS (/)

Search Social Profiles of the owner for 540-483-2468

SEARCH RECORDS

Name Search Address Search (/address)

Search Results for **540-483-2468**

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Search Full Name of the owner for 540-483-2468

VIEW RECORDS

Search Current Address of the owner for 540-483-2468

VIEW RECORDS

Search Email Address of the owner for 540-483-2468

VIEW RECORDS

Search Social Profiles of the owner for 540-483-2468

VIEW RECORDS

Search Results for **540-483-2468**

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Search Current Address of the owner for 540-483-2468

SEARCH RECORDS

Search Email Address of the owner for 540-483-2468

SEARCH RECORDS

Search Social Profiles of the owner for 540-483-2468

SEARCH RECORDS

Search Results for **540-483-2468**

3149

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Search Full Name of the owner for 540-483-2468 (/)

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Search Current Address of the owner for 540-483-2468

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Search Email Address of the owner for 540-483-2468

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Search Social Profiles of the owner for 540-483-2468

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More information about 540-483-2468

USPhoneBook (/)

Area Code

540

Prefix

483

Full Number

540-483-2468

International Number

+1 540 483 2468

Country

United States

County

City

Rocky Mount

State

VA

Zip

24151

Owner

James Cassell

Carrier

Name Search Address Search (/address)

Directory (/phone)

3151

Phone Type USPhoneBook (/)

The phone number **(540) 483-2468** belongs to **James Cassell** and is located in **Rocky Mount, VA, U.S.**

Name Search Address Search (/address)

(540) 483-2468 is a phone from the carrier and its connection status is . The international number for this cell phone is **+1 540 483 2468**. Directory (/phone)

James Cassell may also go by the name **James H Cassell**.

James Cassell is related to **Bree E Cassell**, **Brittney M Wright**, **Denise R Cassell**, **Jacody J Cassell**, **Jada Zee Sanders**, and 5 more people.



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Better Business Bureau®

Business Profile

The Chimney Sweep

1492 Blue Bend Rd
Rocky Mount, VA
24151-6568

http://www.gottrust.org/thechimneysweep

Email this Business

(540) 493-2330

Privacy Terms

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Contact Information

1492 Blue Bend Rd
Rocky Mount, VA 24151-6568

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BBB Rating & Accreditation

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Accredited Since: 1/19/2018
Years in Business: 38

Customer Reviews are not used in the calculation of BBB Rating

Overview of BBB Rating

Customer Reviews

This business has 0 reviews

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Customer Complaints

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1 complaints closed in last 3 years

0 complaints closed in last 12 months

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Related Categories

Chimney Cleaning • Chimney Sweeper • Chimney Service

Industry Tip

BBB Tip: Hiring a Chimney Sweep

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Customer Complaints

1 Customer Complaints

Customer Reviews

0 Customer Reviews

Business Details



3155

Location of This Business
1492 Blue Bend Rd, Rocky Mount, VA 24151-6568
Email this Business

BBB File Opened:10/15/1984

Years in Business:38

Business Started:1/1/1984

Accredited Since:1/19/2018

Licensing Information:
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Type of Entity: Sole Proprietorship

Business Management
Mr. James Cassell, Owner
Mr. JaCody Cassell, Manager

Contact Information
Principal
Mr. James Cassell, Owner
Customer Contact
Mr. James Cassell, Owner
Mr. JaCody Cassell, Manager

Additional Contact Information
Phone Numbers
(540) 483-2468 Other Phone

Local BBB

BBB Serving Western Virginia

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3157

March 21, 2019 201 Greyson St, Martinsville, VA 24112

Dr. Graney,

We got a letter from Brian yesterday, and he asked us to send photos of the damage on the ceiling and walls around his fireplace in the living room of the apartment where he has been living since May, 2016. There was also white residual inside of his fireplace. The chimney expert who found the carbon monoxide damage said that this could be cleaned with detergent & water so Brian's mom has already cleaned that. It needed months to dry before repairs. There is a carpenter lined up to repair it around April 20th. It was the young son of the owner of the chimney company in Rocky Mount, VA who was sent to clean the fireplace (chimney sweep) and to put screen on all 3 holes to keep birds out of the fireplace; instead he put tin over all 3 holes including the hole for the natural gas heater and the gas water heater in the basement leaving no where for the gas and water steam to escape in October, 2017. None of us were aware that there was tin there and thought it was screen. This took care of the bird problem.

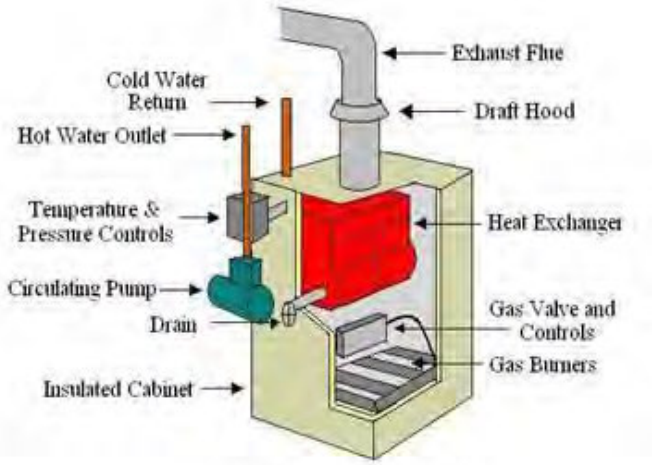
In December, 2017 or January, 2018 there was a snow storm, and that was when we noticed the damage in the ceiling of Brian's apartment but no damage in his mom's ceiling above her fireplace in her apartment. We thought it was odd that there were no problems until the chimney people came. It continued getting worse through the winter, so in the spring Roberta cocked the foundation around her porch because we thought it looked like a foundation problem, not a roof problem because there was no water damage on Roberta's ceiling. Brian's ceiling was below his mom's apartment. After this the problem got worse. Brian's OCD was getting worse too. He was having a diarrhea problem and was using the hot water 6 to 8 hours a day. This is a gas hot water heater with nowhere for the gas & steam to escape. It was escaping apparently through both fireplaces leaving damage in the ceiling in Brian's apartment below the brick (hearth) on the floor in front of Roberta's apartment and all along the walls below Roberta's fireplace into the walls beside of Brian's fireplace (both sides) and the top above the mirror. At the time, it just looked like rain water. We thought eventually half of the ceiling in

Brian's apartment would have water damage. Looking at the photos now, you can clearly see that it is from the gas heaters, not rain and just covered under the hearth of Roberta's fireplace above Brian's on his ceiling so both were effected but up in Roberta's apartment, you couldn't see the damage.

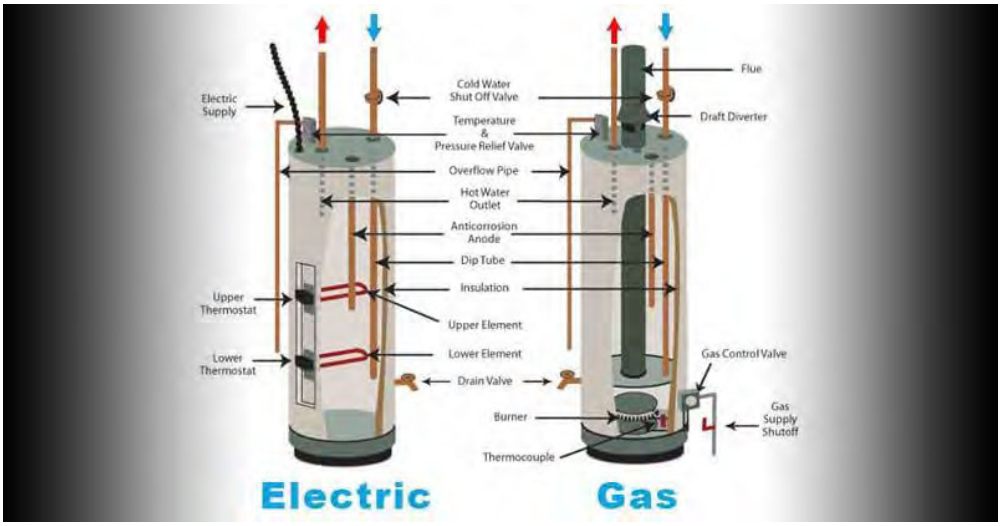
Both Roberta & Brian were complaining about not feeling well, being weak and very tired. We (Brian's grandparents) were moving from one house to another in Martinsville, VA during this time, and Roberta couldn't understand where we got our energy in our 70's when she & Brian were so tired. Roberta tried to help us from time to time with the move, but she couldn't hold out like we could. Both of us are disabled and elderly and are slow and took months for this move. She was always before this stronger than we were. Her head was shaking a lot. We thought it was stress from taking care of Brian and not being able to get much sleep or rest. Brian kept complaining that he couldn't think straight. The cats' personalities had changed, but yet none of us even thought that all of the moisture damage around the fireplace was damage from the moisture & natural gas required to run the natural gas boiler furnace downstairs and the natural gas hot water heater. Now that we know the facts, we all feel bad and guilty for what all has happened to Brian. It takes a long time in Martinsville, VA to locate carpenters and wait for prices and for them to do any work on homes. We also are glad that Brian no longer came back to his house in September, 2018 due to the fact that the carbon monoxide poisoning with the use of the heater through the winter and from the hot water heater was not discovered until January, 2019.

There were many threats due to Brian's fighting to get off from false federal charges. He was set-up with child porn on his computer in 2012, and he and his family have been putting proof in the court with his 2255 since November, 2017 of his innocence, and there have been strange things happening after this date, but then along with the threats (including death threats and threats of putting more child porn in Brian's email after he is released to keep him on the sex registry, sending threats in emails to Brian's family & attorneys and actually sending and bragging about it to Brian and other alternative news people and to Brian's friends after Brian appealed his case in 2015 and the hate cards and letter sent from Nashville, TN with no return address to Brian's mom after we filed the 2255 in Nov. 2017 from Dec. 2017 till May, 2018 and the fake 911 calls in July, 2018 & police coming to the house about the calls that they didn't make.

We wanted to include more information to go along with the photos. We have had natural gas heaters and don't know much about natural gas boiler heaters. Found some photos on the internet to show here of similar in their house.



Gas Hot Water Boiler



(gas Boiler furnace & gas hot water heater).

You can now see what is on top of the chimney. The tin has been removed from the hole above the gas hot water boiler (furnace) and the gas hot water heater. The chimney guy from Basset, VA who has done this type of work for 25 years who took the tin off in Jan. 2019 and put the chimney cap on top of their chimney in Feb. 2019 had us to climb on the ladder and showed us what he saw. This is now what you can see from the road, and we now know that it is vented – not even screen on the top of the furnace & water heater venting hole.



This is a similar top photo from the Internet of the chimney cap that was put on the top of Roberta's & Brian's chimney covering all 3 holes with screen on the side.

We are including 7 photos Brian's mom, Roberta took last night (March 20. 2019) of the ceiling & walls showing damage around Brian's fireplace in his living room in his apartment.

Brian's grandparents,

Stella & Ken Forinash

Copy sent to Brian David Hill and 7 photos mailed to Brian.

Carbon monoxide poisoning

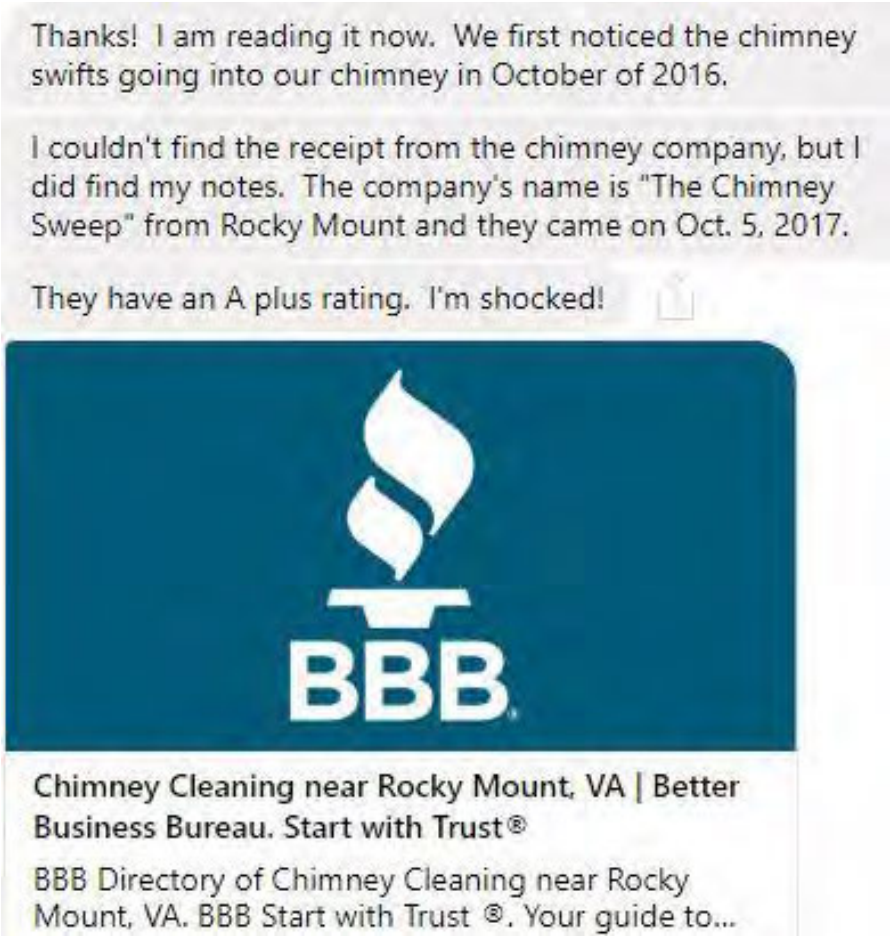
By Brian David Hill's Grandparents, Stella & Ken Forinash on March 10, 2019

Roberta & Brian bought their home in January, 2016; moved in their new home in May, 2016. During the summer of 2017, we noticed many birds flying high above their house and one by one moving into the chimney each evening. https://www.owenschimneysystems.com/its-chimney-swift-season/. There are 3 chimney openings (one for the fireplace in Roberta's apartment, one for the fireplace in Brian's apartment and one for the gas furnace and gas hot water heater in the basement). These birds are called "Chimney Swifts". After Roberta was sure the birds were no longer here (in October or November, 2017), she called a chimney sweep company in Rocky Mount, VA to clean the chimney and put a screen over the chimney holes to keep the birds away. We noticed in 2018, there were no birds: however, a couple of months after the chimney people did their work during a snow storm in Dec. 2017, we noticed some ceiling damage in Brian's living room and what we thought was water damage in his fireplace, ceiling and walls all around his fireplace. No problems with Roberta's fireplace, so Roberta thought it was a foundation problem and cocked all around the house above Brian's fireplace. Roberta's apartment is on the top floor, Brian's apartment is below hers and the gas furnace & gas hot water heater is in the basement below Brian's apartment. She noticed more damage each month in the ceiling and around the fireplace in Brian's apartment, thought the problem was a foundation problem since her fireplace above Brian's was not getting any water damage. She noticed after she cocked the house, the leak was getting worse, She called a foundation company and waited for months for them to check the foundation of the house. They came after Brian was already in jail and told her it was not a foundation problem but a roofing problem.

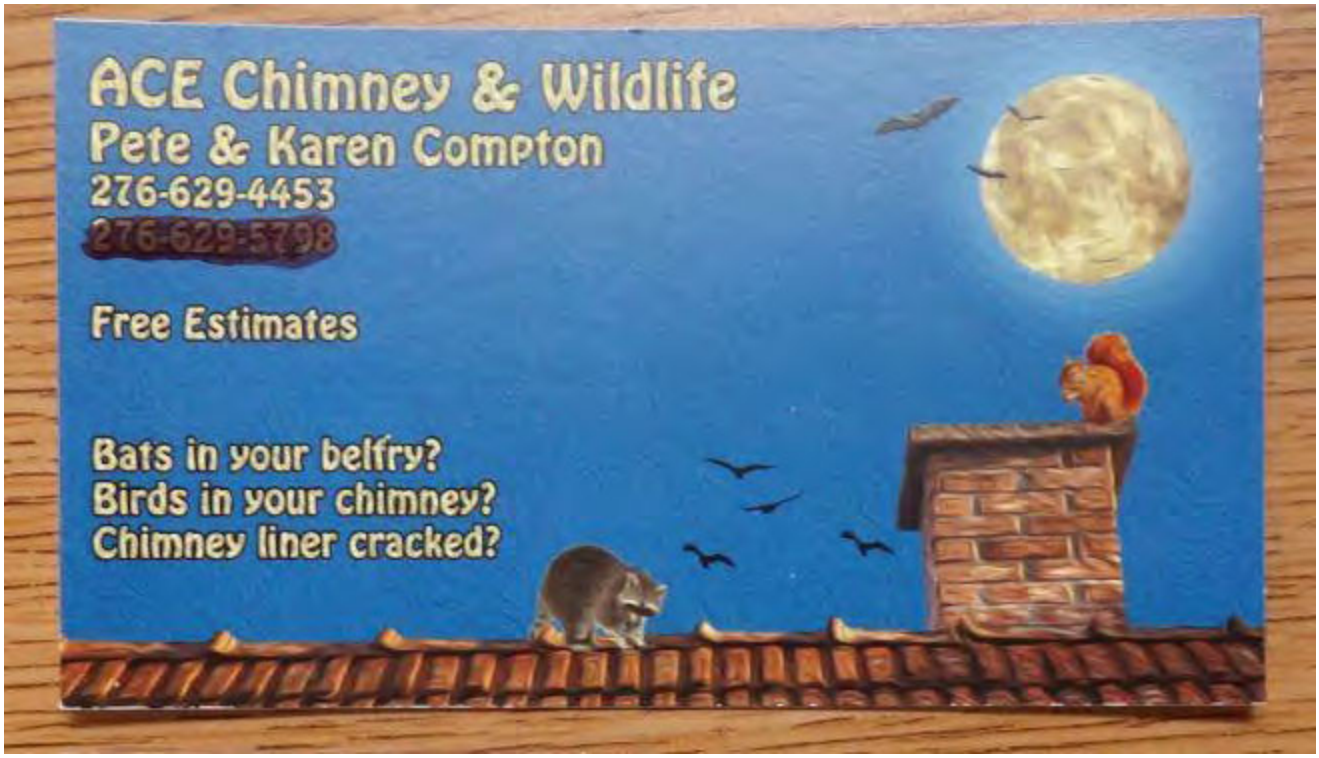


We called a roofing company who said that the roof was in good shape but she needed to put some type of flashing and other things around the chimney to bring the roof up costing $2,600. After they left, she noticed that her fireplace was now leaking and a few weeks before they came the ceiling all around Brian's fireplace had fallen down due to all of the moisture. We called a carpenter, and he noticed that the ceiling that had fallen and needed to be replaced was right below the bricks from Roberta's fireplace platform. She called the roofing people back, and they told her that she needs to have a cap put over her fireplace. They were supposed to talk to their boss and call back, but after waiting a week, we decided to call a chimney company from Bassett, VA who had an A+ rating on the Better Business web site. He came to check to see what she needed and to give a price. We showed him her fireplace, Brian's fireplace with all the damage and the gas furnace and gas hot water heater in the basement. When he climbed his ladder to look at the fireplace, he discovered that all 3 openings were blocked and instead of the screen that she thought was over the holes, there was tin covering all 3 holes. He immediately took the tin off of the hole where the gas furnace and gas hot water heater was.

Roberta's note to us on 3/10/2009



He then showed us what had happened and said that he could not leave there knowing that the tin was keeping the fumes from coming out of the chimney and couldn't believe a chimney company would cover it up. He said that was dangerous. He then came back in the house and showed us the damage in Brian's fireplace was not water damage but had come from the furnace and hot water heater because there was nowhere else for the fumes to go. He showed us all of the white residue in Brian's fireplace from the fumes & moisture escaping in his apartment. He told us the same as the carpenter to wait a few months to let everything dry before replacing the ceiling and the walls around the fireplace and he said that the white residue inside of the fireplace can be cleaned. There was now some white residue inside of Roberta's fireplace too, but the ceiling and the walls around her fireplace was still in good shape in her apartment. This is the name of the guy who took away the tin from the fireplace thus letting the gas furnace & gas water heater vent and prevent any more carbon monoxide poisoning in their basement and apartments. He can be called to confirm what we have written about this situation, and we need to have him to sign a statement about his findings on the outside chimney. This is his business card, and we are enclosing his work proposal (We also had him to do some work inside our fireplaces and replace the chimney cap on our fireplace) from 1/30/2019 when he removed the tin. He wrote that he was putting the chimney cap on Roberta's fireplace for the fireplace and boiler (furnace) & fixing something else. We are sending a copy of the receipt after he put the new chimney cap and did repairs on 2/4/2019. Here is a copy of his business card with his name, address and phone:



Brian David Hill was living in a home with carbon monoxide poisoning from Oct. 5, 2017 till September 21, 2018 (almost one year). He was home most of the time, using the natural gas hot water heater for hours each day doing his OCD washing routines. His apartment fireplace had the most damage including the walls all around the fireplace and losing some of the ceiling above his fireplace due to excessive moisture that we thought was from snow and rain. We learned on 1/30/2019 that it was residue from the boiler furnace and gas hot water heater having nowhere else for the fumes and moisture to escape. Roberta was living in this house with the carbon monoxide from Oct 5, 2017 till Jan. 30, 2019, but her apartment was not infected as badly as Brian's was.

Roberta and Brian Hill had complained for months about being real tired and weak, and we noticed that Roberta's head was shaking. Brian was complaining that he couldn't think straight and was having some memory problems. We all talked about this during our visit with him today (3/9/2019 and wondered if that had anything to do with why Brian left his home the night of Sept. 21, 2018 and was walking around confused miles from his home that night. Brian also had a bad fall in his apartment a few months after the chimney people were there during the winter of 2018 (The hospital at Martinsville, VA should have this record and date: Call 276-666-7200. (Brian was a patient in this hospital in the mental department in December, 2013. The hospital should have on record that Brian is a brittle diabetic using insulin and has autism, yet when the police brought him to the hospital on Sept 21, 2018, the hospital let him be arrested instead of keeping him in the hospital doing test to see why he was acting so strangely). When his mom checked on him that winter night in 2018, he was asleep in his bed with blood all over. She called 9-1-1, but he refused to go to the hospital without doing his OCD routine. During his hand washing routine and washing the blood on his forehead, he vomited and was having bad leg cramps. We finally got him to the Martinsville, VA hospital hours later, and they put staples in his forehead. We found out later that he had fallen in his office and broke his desk. There was a lot of blood on the floor and some way he got into his bed in his bedroom and was apparently asleep when his mom, Roberta went to his room to check his blood glucose, and there was blood all over his pillows, his bed and his face. We told Brian we would check to see if the carbon monoxide from his fireplace can cause confusion, and this is what we found:

These can include agitation, confusion, depression, lethargy, impulsiveness, hallucinations, confabulation, distractibility, and memory problems.

Request an Appointment

- Patient Care & Health Information
- Diseases & Conditions

Carbon monoxide poisoning

Mayo Clinic

Overview

Carbon monoxide poisoning occurs when carbon monoxide builds up in your bloodstream. When too much carbon monoxide is in the air, your body replaces the oxygen in your red blood cells with carbon monoxide. This can lead to serious tissue damage, or even death.

Carbon monoxide is a colorless, odorless, tasteless gas produced by burning gasoline, wood, propane, charcoal or other fuel. Improperly ventilated appliances and engines, particularly in a tightly sealed or enclosed space, may allow carbon monoxide to accumulate to dangerous levels.

If you think you or someone you're with may have carbon monoxide poisoning, get into fresh air and seek emergency medical care.

Signs and symptoms of carbon monoxide poisoning may include:

- Dull headache; Weakness; Dizziness; Nausea or vomiting; Shortness of breath; Confusion; Blurred vision; Loss of consciousness

Carbon monoxide poisoning can be particularly dangerous for people who are sleeping or intoxicated. People may have irreversible brain damage or even die before anyone realizes there's a problem. If you or someone you're with develops signs or symptoms of carbon monoxide poisoning — headache, dizziness, nausea, shortness of breath, weakness, confusion — get into fresh air immediately and call 911 or emergency medical help.

Hospital staff will need critical information as soon as you arrive. On the way to the hospital, try to prepare to answer questions about:

- Possible sources of carbon monoxide exposure; Signs or symptoms, and when they started
- Any mental impairment, including confusion and memory problems
  - When you see the doctor, note that history is more important than symptoms. The most important way to recognize carbon monoxide poisoning is by recognizing the danger signs of behaviors leading up to the moment that symptoms started appearing.
  - Faulty stoves, fireplaces, or wood-burning appliances are usually to blame for carbon monoxide poisoning in the home.

Progressed Symptoms: As carbon monoxide poisoning progresses, symptoms get more serious, but are still extremely vague and difficult to identify as specific to carbon monoxide exposure:

- Confusion
- Shortness of breath
- Chest pain
- Vomiting
- Blurry or double vision
- Loss of consciousness

Self Checks/At-Home Testing

There isn't a self-diagnosis option for carbon monoxide poisoning, but anyone with confusion or a loss of consciousness should have 911 called for them.

Long-Term Complications: **As common as carbon monoxide poisoning is, there is a lot we still do not understand about this condition. Long-term exposure to elevated levels of carbon monoxide—even when the levels aren't that high, but the exposure continues for many days or weeks—can lead to peripheral artery disease, cardiomyopathy, and long-term, poorly understood neurological problems.**

Damage to the brain is a significant injury incurred by many patients with carbon monoxide poisoning. Patients can develop neurological complications (difficulty concentrating, memory loss, tremors, trouble speaking, etc.) at the same time as the carbon monoxide poisoning or at a later time. When the neurological signs and symptoms show up later, it's known as delayed neurologic sequelae (DNS).

- Make sure your gas appliances are vented properly. Horizontal vent pipes for appliances, such as a water heater, should go up slightly as they go toward outdoors, as shown below. This prevents CO from leaking if the joints or pipes aren't fitted tightly.
- Have your chimney checked or cleaned every year. Chimneys can be blocked by debris. This can cause CO to build up inside your home or cabin.

https://www.medicinenet.com/carbon_monoxide_poisoning_symptoms_and_signs/symptoms.htm

These can include agitation, confusion, depression, lethargy, impulsiveness, hallucinations, confabulation, distractibility, and memory problems. Visual disturbances and seizure, as well as fainting (syncope), can also be related to carbon monoxide toxicity. May 15, 2017. Enclosed are work proposal Jan 30,

ACE Chimney Sweep 420361

276-629-4453

Customer's Order No. _____ DATE 2-4-19

SOLD TO Roberta Hill

ADDRESS 310 Forest St Mville

SALESMAN _____ TERMS _____

CASH	CHARGE	C. O. D.	PAID OUT	RETD. MDSE.	RECD. ON ACCT.

QUAN.	DESCRIPTION	PRICE	AMOUNT
1	Install Stainless Steel Multiflue Chimney CAP	$400.00	
	Paid CK# 194		

ALL Claims and Returned Goods MUST Be Accompanied By This Bill

SIGNATURE _____

701051

HOMESAVER®
CHIMNEY RELINING SYSTEMS

Work Proposal

Date 1-30-19
Dealer name ACE Chimney Sweep
Street 296 Dodson Rd
City, State, Zip BASSETT VA
Phone 276-629-4453

SUBMITTED TO:

Name Ken Forinash
Street 200 Greyson St (201)
City, State, Zip Martinsville VA
Phone

E-mail
Job Location 310 Forest
916 Chalmers

JOB DESCRIPTION:

310 Forest Install multiflue chimney cap on Chimney For Fireplace and Boiler 400.00 Includes seating

916 Chalmers
Install Multiflue Chimney CAP on Chimney For Fireplace and Furnace
$1225.00

TERMS OF PROPOSAL:

Amount $ _____. Proposal good for _____ days.

Terms of payment _____

Authorized signature _____

All material is guaranteed to be as specified. All work to be completed in a substantial workmanlike manner according to specifications submitted, per standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Property owner to carry fire, tornado and other necessary insurance. Our workers are fully covered by Workmen's Compensation Insurance.

ACCEPTANCE OF PROPOSAL:

The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Signature _____ Date of acceptance _____

Item #99286

© 2008, CCS

Subject: Fwd: Re: Your October 2017 Checking Statement is now available to view in Online Banking (Re: 953850 Mr. Brian D. Hill VS The Chimney Sweep)
From: ROBERTA HILL <rbhill67@comcast.net>
Date: 7/5/2022, 3:12 AM
To: "AZiglar@oag.state.va.us" <AZiglar@oag.state.va.us>, "eferguson@fergusonlaw.net" <eferguson@fergusonlaw.net>

---------- Original Message ----------
From: Roberta Hill <rbhill67@yahoo.com>
To: "customercare@suntrust.com" <customercare@suntrust.com>, "onlinestatements@suntrust.com" <onlinestatements@suntrust.com>
Cc: Roberta Hill <rbhill67@comcast.net>
Date: 07/05/2022 3:08 AM
Subject: Re: Your October 2017 Checking Statement is now available to view in Online Banking

Please respond to my mailed and faxed letter as I would like access to my pdf file bank statement from October, 2017. I need my bank statement from my old bank account. I need this for proof that I paid $300 by check to a business called The Chimney Sweep. The check was given to them on October 5, 2017. That money came out of my bank account when I had that account in 2017. I lost that online bank account when my SunTrust bank account migrated to First Horizon bank in Martinsville. Please give me a copy of my bank statement from my old account from that time.

Thanks,
Roberta

On Tuesday, October 17, 2017 at 03:21:12 AM EDT, SunTrust Bank <onlinestatements@suntrust.com> wrote:

SunTrust

Dear SunTrust Client,

Your October 2017 Checking Statement for your account ending with 5503 is now available to view in Online Banking.

To view your statement,

1. Visit suntrust.com
2. Sign on to Online Banking with your user ID and password
3. Select your account
4. Click the **Statements** icon
5. Click **View** for the October 2017 statement

We appreciate your business and are committed to helping you reach your financial goals. Visit suntrust.com, call us at 800-SUNTRUST (786-8787), or stop by your local branch to learn more about our helpful products and services.

Thank you for banking with SunTrust.

Sincerely,
SunTrust Customer Care

Please add onlinestatements@suntrust.com to your address book or safe list. Please do not reply to this email. If you have questions about your account in general, email us through the Secure Message Center.

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This email was sent on behalf of SunTrust Customer Care, 1575 Lemon Farris Road, Cookeville, TN 38506.
TAGS@ERG$dde200c5-6aef-404b-9258-14ab6692409a|ENV$PROD!

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By replying to this e-mail, you consent to SunTrust's monitoring activities of all communication that occurs on SunTrust's systems.
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[ST:XCL]

Attachments:

Letter to SunTrust Bank requesting copy of transaction record(5).pdf	9.6 KB
USWGO_20220629_150558(OCR).pdf	739 KB
Proof of mailing to TRUIST Bank requesting records-6-29-2022(2).pdf	1.6 MB

REQUEST FOR TRANSACTION RECORD
FROM MY BANK ACCOUNT IN OCT., 2017

Attn: QWR/NOE/RFI -- PO Box 26527
Richmond, VA 23261-6527

TO: SunTrust Bank / TRUIST
303 Peachtreet Street, Northeast
Atlanta, Georgia 30308
FAX: 1-847-676-5150

June 29, 2022

To Whom it may Concern,

I am Roberta R. Hill. I had an account with SunTrust bank since 2013 until my bank in Martinsville was bought up by First Horizon Bank and account was migrated to First Horizon.

I would like to request a copy of my own bank account record of a transaction on October 5, 2017, to The Chimney Sweep and whether that money was taken out of my account. Between the dates October 4, 2017 (just to be safe) and October 10, 2017, or just the transaction records of paying $300 to The Chimney Sweep.

My Account Number was: 1000155990541. I am Roberta Ruth Hill.

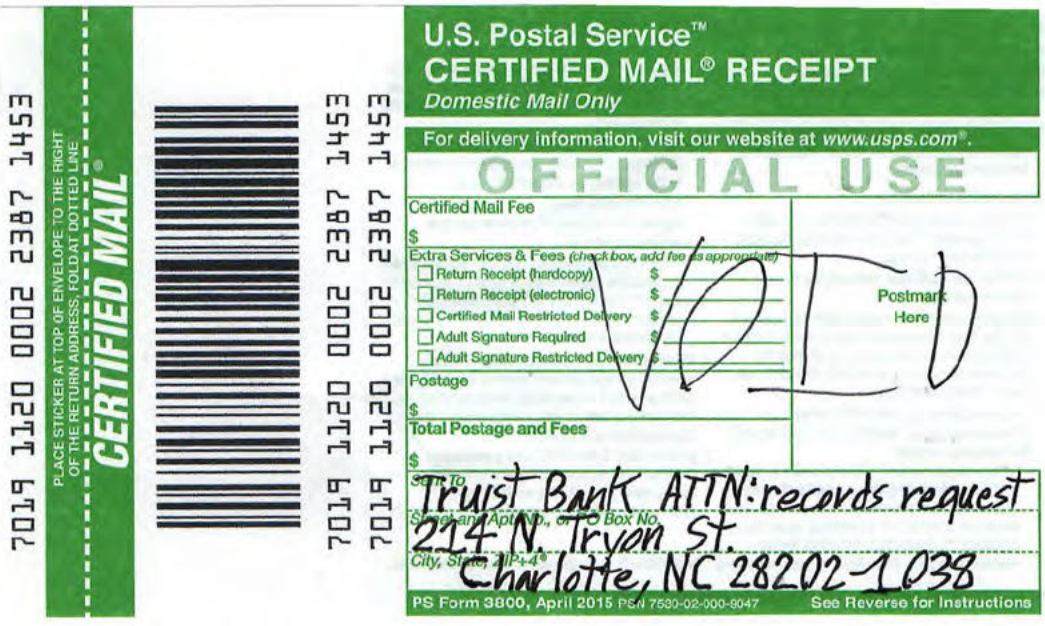
My current address is below, my address prior to my current residence was 916 Chalmers Street, APT. B, Martinsville VA 24112-4939.

I can verify that I was the account owner at that time that I paid $300 to The Chimney Sweep. I would like to request my account transaction of when I paid by check on October 5, 2017 and when the money was transferred out of my bank account to pay the check that I signed and gave to The Chimney Sweep. I am attaching a photograph of the check stub.

Please give me a bank statement or transaction record proving that I paid $300 by check and when my check was processed where my money left my bank account in October, 2017.

Warm regards,

Roberta Ruth Hill
310 Forest Street, Apt. 1
Martinsville, Virginia 24112
(276) 790-3505



7019 1120 0002 2387 1453

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT OF THE RETURN ADDRESS, FOLD AT DOTTED LINE

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Extra Services & Fees *(check box, add fee as appropriate)*
- ☐ Return Receipt (hardcopy) $
- ☐ Return Receipt (electronic) $
- ☐ Certified Mail Restricted Delivery $
- ☐ Adult Signature Required $
- ☐ Adult Signature Restricted Delivery $

Postage
$

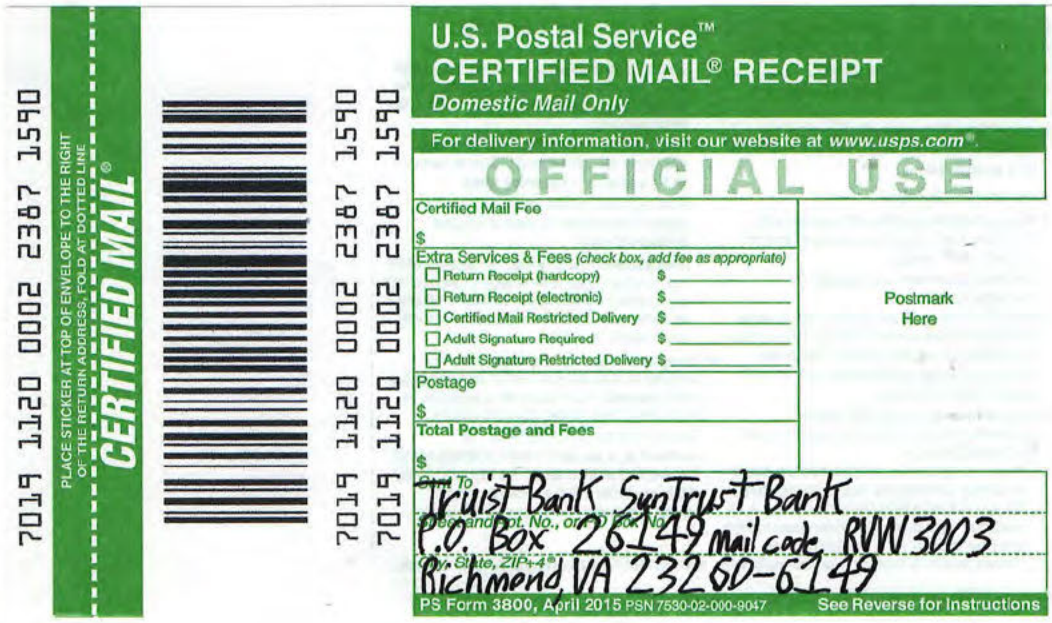
Total Postage and Fees
$

Postmark Here

VOID

Sent To
Truist Bank ATTN: records request
Street and Apt. No., or PO Box No.
214 N. Tryon St.
City, State, ZIP+4®
Charlotte, NC 28202-1038

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions



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- ☐ Adult Signature Required $
- ☐ Adult Signature Restricted Delivery $

Postage
$

Total Postage and Fees
$

Postmark Here

Sent To
Truist Bank SunTrust Bank
Street and Apt. No., or PO Box No.
P.O. Box 26149 mail code RVW3003
City, State, ZIP+4®
Richmond VA 23260-6149

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

Roberta R. Hill
310 Forest St. Apt. 1
Martinsville, VA 24112

Truist Bank
ATTN: Records Request

SunTrust Bank
Mail Code RVW 3003
PO Box 26149
Richmond, VA 23260-6149

[redacted]


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Certified Mail Fee
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Extra Services & Fees (check box, add fee as appropriate)
Return Receipt (hardcopy) $
Return Receipt (electronic) $
Certified Mail Restricted Delivery $
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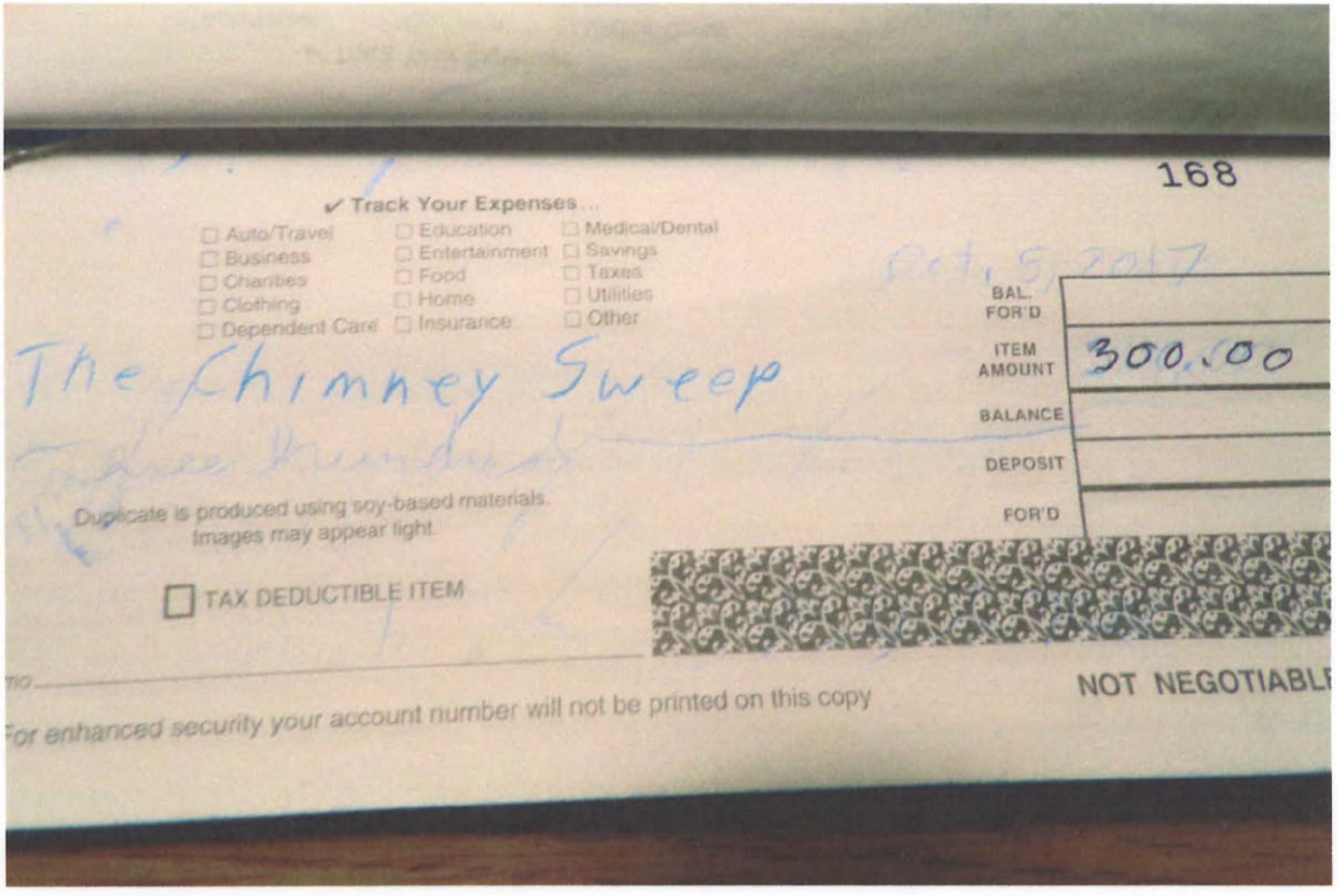
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(276) 790-3505


168
✓ Track Your Expenses...
☐ Auto/Travel
☐ Business
☐ Charities
☐ Clothing
☐ Dependent Care
☐ Education
☐ Entertainment
☐ Food
☐ Home
☐ Insurance
☐ Medical/Dental
☐ Savings
☐ Taxes
☐ Utilities
☐ Other
Oct. 5, 2017
The Chimney Sweep
Three Hundred
BAL. FOR'D
ITEM AMOUNT
300.00
BALANCE
DEPOSIT
FOR'D
Duplicate is produced using soy-based materials.
Images may appear light.
☐ TAX DEDUCTIBLE ITEM
NO.
For enhanced security your account number will not be printed on this copy
NOT NEGOTIABLE

Subject: Read: 953850 Mr. Brian D. Hill VS The Chimney Sweep
From: "Ziglar, Aaron M." <AZiglar@oag.state.va.us>
Date: 7/5/2022, 9:06 AM
To: ROBERTA HILL <rbhill67@comcast.net>

[Office of the Attorney General]
Aaron M. Ziglar | Dispute Resolution Specialist
Office of the Attorney General
202 North 9th Street
Richmond, Virginia 23219
O: (804) 786-1244 | M: | F:
AZiglar@oag.state.va.us<mailto:AZiglar@oag.state.va.us>
https://www.oag.state.va.us

ForwardedMessage.eml

Subject: Read: 953850 Mr. Brian D. Hill VS The Chimney Sweep
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Attachments:

ForwardedMessage.eml	16.8 KB
winmail.dat	6.2 KB

Subject: Read: 953850 Mr. Brian D. Hill VS The Chimney Sweep
From: "Ziglar, Aaron M." <AZiglar@oag.state.va.us>
Date: 7/5/2022, 9:07 AM
To: ROBERTA HILL <rbhill67@comcast.net>

[Office of the Attorney General]
Aaron M. Ziglar | Dispute Resolution Specialist
Office of the Attorney General
202 North 9th Street
Richmond, Virginia 23219
O: (804) 786-1244 | M: | F:
AZiglar@oag.state.va.us<mailto:AZiglar@oag.state.va.us>
https://www.oag.state.va.us

ForwardedMessage.eml

Subject: Read: 953850 Mr. Brian D. Hill VS The Chimney Sweep
From: "Ziglar, Aaron M." <AZiglar@oag.state.va.us>
Date: 7/5/2022, 9:07 AM
To: ROBERTA HILL <rbhill67@comcast.net>

Attachments:

ForwardedMessage.eml	16.3 KB
winmail.dat	5.9 KB

Subject: Read: 953850 Mr. Brian D. Hill VS The Chimney Sweep
From: "Ziglar, Aaron M." <AZiglar@oag.state.va.us>
Date: 7/5/2022, 9:07 AM
To: ROBERTA HILL <rbhill67@comcast.net>

[Office of the Attorney General]
Aaron M. Ziglar | Dispute Resolution Specialist
Office of the Attorney General
202 North 9th Street
Richmond, Virginia 23219
O: (804) 786-1244 | M: | F:
AZiglar@oag.state.va.us<mailto:AZiglar@oag.state.va.us>
https://www.oag.state.va.us

ForwardedMessage.eml

Subject: Read: 953850 Mr. Brian D. Hill VS The Chimney Sweep
From: "Ziglar, Aaron M." <AZiglar@oag.state.va.us>
Date: 7/5/2022, 9:07 AM
To: ROBERTA HILL <rbhill67@comcast.net>

Attachments:

ForwardedMessage.eml	16.8 KB
winmail.dat	6.2 KB

Subject: Read: 953850 Mr. Brian D. Hill VS The Chimney Sweep - EVIDENCE OF CHIMNEY SWEEP BEING INVOLVED, EVIDENCE FOR ERIC FERGUSON (lawyer)
From: "Ziglar, Aaron M." <AZiglar@oag.state.va.us>
Date: 7/5/2022, 9:08 AM
To: ROBERTA HILL <rbhill67@comcast.net>

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ForwardedMessage.eml

Subject: Read: 953850 Mr. Brian D. Hill VS The Chimney Sweep - EVIDENCE OF CHIMNEY SWEEP BEING INVOLVED, EVIDENCE FOR ERIC FERGUSON (lawyer)
From: "Ziglar, Aaron M." <AZiglar@oag.state.va.us>
Date: 7/5/2022, 9:08 AM
To: ROBERTA HILL <rbhill67@comcast.net>

Attachments:

ForwardedMessage.eml	17.2 KB
winmail.dat	6.4 KB

Subject: Read: 953850 Mr. Brian D. Hill VS The Chimney Sweep - EVIDENCE OF CHIMNEY SWEEP BEING INVOLVED, EVIDENCE FOR ERIC FERGUSON (lawyer)
From: "Ziglar, Aaron M." <AZiglar@oag.state.va.us>
Date: 7/5/2022, 9:10 AM
To: ROBERTA HILL <rbhill67@comcast.net>

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AZiglar@oag.state.va.us<mailto:AZiglar@oag.state.va.us>
https://www.oag.state.va.us

ForwardedMessage.eml

Subject: Read: 953850 Mr. Brian D. Hill VS The Chimney Sweep - EVIDENCE OF CHIMNEY SWEEP BEING INVOLVED, EVIDENCE FOR ERIC FERGUSON (lawyer)
From: "Ziglar, Aaron M." <AZiglar@oag.state.va.us>
Date: 7/5/2022, 9:10 AM
To: ROBERTA HILL <rbhill67@comcast.net>

Attachments:

ForwardedMessage.eml	17.2 KB
winmail.dat	6.4 KB

Subject: Read: Re: Your October 2017 Checking Statement is now available to view in Online Banking (Re: 953850 Mr. Brian D. Hill VS The Chimney Sweep)
From: "Ziglar, Aaron M." <AZiglar@oag.state.va.us>
Date: 7/5/2022, 9:11 AM
To: ROBERTA HILL <rbhill67@comcast.net>

Your message

To: Ziglar, Aaron M.
Subject: Fwd: Re: Your October 2017 Checking Statement is now available to view in Online Banking (Re: 953850 Mr. Brian D. Hill VS The Chimney Sweep)
Sent: Tuesday, July 5, 2022 3:12:09 AM (UTC-05:00) Eastern Time (US & Canada)

was read on Tuesday, July 5, 2022 9:10:59 AM (UTC-05:00) Eastern Time (US & Canada).

```
Final-recipient: RFC822; AZiglar@oag.state.va.us
Disposition: automatic-action/MDN-sent-automatically; displayed
X-MSExch-Correlation-Key: zY/qrEFCXkOsvBTdnd9ISA==
X-Display-Name: Ziglar, Aaron M.
```

Subject: RE: 953850 Mr. Brian D. Hill VS The Chimney Sweep
From: "Ziglar, Aaron M." <AZiglar@oag.state.va.us>
Date: 7/5/2022, 10:18 AM
To: ROBERTA HILL <rbhill67@comcast.net>

Good morning Ms. Hill,

I have forwarded the emails you have sent to me to the Chimney Sweep as your written response. When you receive the records, you can email them to me and I will add them to your file and forward them to the business.

The Dispute Resolution Unit offers alternative dispute resolution services for complaints that do not appear to involve a violation of consumer protection law. We will act as a neutral in facilitating communication between you and the business in an attempt to resolve the complaint. Where a complaint appears to involve a violation of consumer protection law, the matter may be reviewed to determine if there is a pattern or practice of violations warranting a possible law enforcement action.

The dispute resolution process is not a legal process – thus, there is no final decision that our Office will make. Participation is voluntary – we cannot compel either party to respond or accept the other party's offer of resolution. If a mutually agreeable resolution cannot be obtained we typically advise the complainant of other options available to pursue the complaint in court, at which point our Office is no longer involved.

Please let me know if you have any questions about our process.

Sincerely,

Office of the Attorney General

Aaron M. Ziglar | Dispute Resolution Specialist
Office of the Attorney General
202 North 9th Street
Richmond, Virginia 23219
O: (804) 786-1244 | M: | F:
AZiglar@oag.state.va.us
https://www.oag.state.va.us

From: ROBERTA HILL <rbhill67@comcast.net>
Sent: Wednesday, June 29, 2022 2:32 PM
To: Ziglar, Aaron M. <AZiglar@oag.state.va.us>
Cc: eferguson@fergusonlaw.net; Lin Wood <lwood@linwoodlaw.com>; Lin Wood <lwood@fightback.law>; stanleybolten@justiceforuswgo.nl; Ken & Stella Forinash <kenstella@comcast.net>; kenstella2005@comcast.net; ltgov@ltgov.virginia.gov; jacqueline.tran@ltgov.virginia.gov; julianne.condrey@ltgov.virginia.gov; katelyn.jordan@ltgov.virginia.gov
Subject: Re: 953850 Mr. Brian D. Hill VS The Chimney Sweep
Importance: High

Aaron M. Ziglar,

Need an extension of time as I am requesting copies of my bank record from SunTrust/TRUIST bank as they would have the bank account record proving that a check was paid for to "The Chimney Sweep".

It is having to be done by snail mail and FAX to a random TRUIST fax number hoping they will process this request quicker.

I am sending you both a copy of a request made to TRUIST bank asking for my bank account statement and records proving that $300 was paid in October, 2017 to The Chimney Sweep for their service. Why would I pay $300 to The Chimney Sweep on October 5, 2017 by check???

The transaction record will prove this. I ask that the Attorney General also subpoena and investigate for the financial records from my bank account at that time the check was given to The Chimney Sweep as payment, as it will prove the lawyer for The Chimney Sweep is lying. Under the Bank Secrecy Act, checks after being cleared must be retained on the record for at least five years. That was doing research on Google for how long banks have to keep financial records for things like investigations or other things.

So we have until October 5, 2022, or October 6, 2022 (whatever date that The Chimney Sweep cashed in my check) to request the record and get access to the record to prove that $300 was paid to The Chimney Sweep by check, from my own bank account when it was SunTrust before it was bought up by another bank, First Horizon Bank.

My son wants you to know why he took so long. He actually wanted to hold The Chimney Sweep accountable in 2019, faxed the Fire Marshals in 2019 and had somebody email one of the two county (Martinsville and/or Franklin County) of Fire Marshals but the Fire Marshals did nothing about Brian's request. He didn't know about this complaint process until this year. He did try to have The Chimney Sweep contacted by his friend emailing them but it was another Chimney Sweep business. We had tried a few things to try to prove that they started the carbon monoxide gas exposure, but Brian was busy trying to fight in federal court and state court. The Circuit Court in Martinsville is CORRUPT and has dragged his misdemeanor case for years, dragged it from 2018 to 2021 through the corrupt Court of Appeals. Brian tried to demonstrate that he was innocent of indecent exposure but the judge denies every motion and every appeal fails no matter what was argued. There is judicial corruption in Martinsville, that is why it has taken so long to fight. Brian shouldn't be suffering this long for a crime he is innocent of, and that is a misdemeanor. The judge is corrupt, the Commonwealth Attorney is corrupt, and the court appointed lawyers are corrupt as well. It has taken so long fighting them all, that was why it has taken so long to complain about The Chimney Sweep. Brian kept fighting for a few years in the corrupt Court of Appeals of Virginia, in the corrupt Circuit Court over what The Chimney Sweep has caused. Brian kept fighting and got nowhere. Now this is his only option, because Brian is innocent and he wants the witnesses to come forth and admit that why he is suffering for a crime he didn't do, a crime which wasn't a crime under the circumstances of Carbon Monoxide gas and poisoning.

This lawyer should see the suffering Brian Hill had gone through for years over a misdemeanor because of the corrupt lawyers in Virginia. Brian shouldn't be having to go after The Chimney Sweep to prove his innocence but the courts are CORRUPT. The Judges are blackmailed. The problem is the corruption in the judicial system, we aren't doing this against The Chimney Sweep out of ill will intent, but because the Court is corrupt and refuses to accept Brian David Hill was under carbon monoxide poisoning and refuses to accept his innocence. My son is INNOCENT, HE IS INNOCENT, the court is corrupt and the lawyers are corrupt.

If The Chimney Sweep had no involvement with the metal tin being placed on the chimney causing carbon monoxide gas and damage to Brian's apartment and his suffering and poisoning and his wrongful conviction of indecent exposure, then what was $300 being paid to them for then???

Gotta ask The Chimney Sweep why they would fully deny any involvement or providing any service to the "Hills" while they were paid $300 on October 5, 2017 by check. That money doesn't just go to a business for nothing, does it???

My son didn't want to piss off the Chimney Sweep years ago and thought he could prove his innocence in another way. He is being denied every motion he files by the Dishonorable corrupt judge Giles Carter Greer of Martinsville and it's corrupt Circuit Court of hell and torment. Brian tried to do everything he could and kept failing, wait for about a year on his appeal then his court appointed lawyer filed nothing and then delayed appeal was granted. The appeal was dragged another year. It took that long for his criminal appeals. All fgailed because he has a corrupt court appointed lawyer Matthew Scott Thomas Clark and another corrupt lawyer is John Ira Jones, IV who had a conflict of interest because he represented the Commonwealth of Virginia prior to being a public pretender and then he betrayed Brian and wrecked his appeal by citing Anders v. California. So we been dealing with corrupt lawyers in Virginia. Nothing but corrupt lawyers telling Brian with withdraw his appeal, to just give up, begging him over and over again to give up, to give up.

Corrupt lawyers wanting Brian to stop fighting to prove his innocence of his state charge of indecent exposure. I am not surprised.

Martinsville Police could have investigated The Chimney Sweep and had the opportunity to do so in 2019 when Brian sent a letter to Martinsville Police (also filed with the U.S. District Court, Middle District of North Carolina) about The Chimney Sweep and about the carbon monoxide. Brian mailed letters with the Circuit Court about The Chimney Sweep and/or about the carbon monoxide gas in 2019, and corrupt Commonwealth Attorney Glen Andrew Hall ignored the carbon monoxide information, and ignored it all. Another government official was emailed in 2019 which spoke of The Chimney Sweep and nothing was done about it. They refused to investigate any of it. That is why it has taken so long. We have a corrupt local Martinsville Police Department in Martinsville who protects drug dealers and protects drug houses, it's corrupt Police Chief G. E. Cassady. They do protect certain drug houses, we are aware of this to a certain extent, a police chief afraid that Brian being intoxicated on September 21, 2018, due to the carbon monoxide (but any lab tests or drug tests would not immediately say it was carbon monoxide, but would show abnormal levels if the tests were conducted) but the police would assume my son would have been intoxicated on drugs and would want that covered up. There are investigations which the State Police need to be making into the cover up of Hospital records, medical record pages with page numbers and some of them are missing from the medical records at Martinsville City Jail. Corrupt Sheriff of Martinsville, corrupt this, corrupt that. Now you understand why Brian filed a complaint against The Chimney Sweep. Martinsville is full of corruption and thuggery in it's government, outta call it Mafiaville instead of Martinsville.

Thanks,
Roberta Hill

Subject: Re: 953850 Mr. Brian D. Hill VS The Chimney Sweep - AFFIDAVIT OF BRIAN DAVID HILL
From: ROBERTA HILL <rbhill67@comcast.net>
Date: 7/5/2022, 2:59 AM
To: "Ziglar, Aaron M." <AZiglar@oag.state.va.us>, Attorney Eric Ferguson <eferguson@fergusonlaw.net>
CC: "stanleybolten@justiceforuswgo.nl" <StanleyBolten@justiceforuswgo.nl>, Ken & Stella Forinash <kenstella@comcast.net>, "kenstella2005@comcast.net" <kenstella2005@comcast.net>, Lin Wood <lwood@linwoodlaw.com>, Lin Wood <lwood@fightback.law>, "Coen, Chris" <ccoen@oag.state.va.us>, "ltgov@ltgov.virginia.gov" <ltgov@ltgov.virginia.gov>, "LtGovernorJeanette.Nunez@eog.myflorida.com" <LtGovernorJeanette.Nunez@eog.myflorida.com>, "jacqueline.tran@ltgov.virginia.gov" <jacqueline.tran@ltgov.virginia.gov>, "katelyn.jordan@ltgov.virginia.gov" <katelyn.jordan@ltgov.virginia.gov>, "julianne.condrey@ltgov.virginia.gov" <julianne.condrey@ltgov.virginia.gov>

Aaron M. Ziglar,

My son, Brian David Hill, wanted to file his unsworn Virginia affidavit/declaration with you, in this case no. 953850. Eventually he will file this along with all other correspondence in this entire complaint case with the Circuit Court for the City of Martinsville. He wants to show the judge Giles Carter Greer that he was intoxicated by carbon monoxide gas.

This judge doesn't want to accept intoxication defense because he doesn't have the levels of carbon monoxide poisoning.

The only way possibly outside of having to prove the levels was to have The Chimney Sweep business admit to placing the metal tin on top of the chimney flues as that would establish clear and convincing evidence of "prolonged exposure" to carbon monoxide gas aka "long term exposure". Brian needs The Chimney Sweep to admit to placing the metal tin on October 5, 2017, they need to admit to their own mistake, their own booboo and this will establish evidence which will not require the levels of carbon monoxide. This will establish enough evidence of innocence to Governor Glenn Youngkin, that Brian David Hill is innocent of indecent exposure on September 21, 2018. The admission from The Chimney Sweep may be enough to have his pardon request granted and overturn the decision denying Brian's pardon application for an absolute pardon, denied on June 3, 2022.

Please do not try to mess up proving my son's innocence, Attorney Eric Ferguson. I received Stanley's email, he is right. **Brian only wants to prove his innocence and he will forgive you. He will forgive JaCody Cassell and James Cassell.** He will forgive them and not hate them for the rest of his life, he will forgive them if they simply admit to what they have done, write the judge Giles Carter Greer, write the Commonwealth Attorney Glen Andrew Hall. Write the Clerk of the Circuit Court for the City of Martinsville, Hon. Ashby

Pritchett. Your attorney can email Hon. Ashby Pritchett. Here is the Clerk's email to send electronic pdf filings. JaCody can do this quickly, he can write an affidavit and email it to the Clerk. APritchett@vacourts.gov and APritchett@courts.state.va.us. He can also email Glen Andrew Hall, Esq. of the Commonwealth's Attorney at the email address. ahall@ci.martinsville.va.us. City of Martinsville, Commonwealth of Virginia v. Brian David Hill. Case no. CR19000009-00. He can easily just admit that he made a mistake and that it caused the carbon monoxide along with the testimony of Pete Compton. We need the testimony from JaCody or whoever was placing the metal tin on top of the chimney.

Please JaCody, please write a letter to the Circuit Court for his criminal case about your witness testimony about the metal tin being placed on the chimney from you or whoever worked for you at the time. This would be considered new evidence and my son would get a new trial in front of a jury for his indecent exposure. He can show your letter and you can testify to the jury about the metal tin being placed. Pete Compton can testify about finding the metal tin. This would establish evidence acceptable in the Circuit Court rules of evidence. This would establish evidence of long term exposure to the carbon monoxide gas causing my son to take his clothes off at night in a public place. The levels would not be necessary if you or your employee will admit to blocking the chimney flues. It would establish that from October 5, 2017, to September 20, 2018 when my son left the home at night, my son Brian David Hill was in a home exposed to carbon monoxide gas poisoning. He had to leave the home to escape the carbon monoxide and took off his clothes as if needing to escape the toxins.

Please understand why my son filed the complaint, JaCody Cassell. My son has autism. Do you have autism JaCody Cassell??? Do you have autism Eric Ferguson??? Do you understand why my son was getting naked and was found naked by police??? Do you understand what you have done to my son that he hates you and will hate you for the rest of his life, he will never stop hating you until you fix what you have started, fix what you have done. My son can hate for a very long time, he won't stop hating you as years go by. The carbon monoxide and his arrest hurt him. **All he wants is for you to tell the Judge, to tell the Court, to write to the Court, explain to them under oath what you did on October 5, 2017, about the metal tin. All my son wants is a reprieve from his legal nightmare he never should have been subjected to since 2018. All you have to do is simply admit "Hey I placed metal tin on top of the chimney flues" and just say that your sorry. You made a mistake, your human, we all make mistakes. Just admit to what you did and explain what you did, and that would be the evidence my son would need to be cleared of his misdemeanor. He would be cleared of his federal conviction, he can then move on with his life being proven innocent and then can start moving forward with his life. My son will keep**

filing motions, keep filing complaints and lawsuits until he is acquitted of indecent exposure. He promises that. He will move on from you and move on from The Chimney Sweep if all you could do to fix your mistakes is WITH THE TRUTH. The bible says the truth shall make you free. The truth will help free my son from his federal probation. It will help prove his innocence in the long run. It will help reverse the probation violation and then my son can go back to proving his innocence to his 2014 issue. He wants to prove his innocence but cannot do so until he is acquitted of the indecent exposure.

Instead of using your lawyer to try to intimidate us or have us back down, you could ask your lawyer to just write an affidavit and give that affidavit to the Circuit Court for the City of Martinsville. For my son's case, then my son agrees to move on, dismiss his complaint, and walk away. My son wants to be acquitted. Please don't stand in his way, he is innocent and you hold the missing piece of evidence, you hold the missing link, the missing testimony. I understand you are angry with this complaint JaCody, but I am angry too. His family is angry, we will stand up for my son, we will all write affidavits about the chimney company if we have to. We will back my son Brian David Hill, because he is innocent of indecent exposure. Please do the right thing. Email the Clerk, tell the Judge Greer about what happened on October 5, 2017. That is all you have do to. That is all we want, we want you to testify and explain what exactly you did at 310 Forest Street, Martinsville, Virginia.

Case number: CR19000009-00; City of Martinsville; Circuit Court.

Please, all my son wants is acquittal, that is all he ever wanted. Please don't drag this out too. I don't care if the court is corrupt in Martinsville. You can fix this by admitting to what you had done.

Please admit to it, The Chimney Sweep. Please admit to it JaCody Cassell.

Theoretically, How would you feel if you were exposed to carbon monoxide and maybe ran butt naked at night or crapped on a cop car or did something stupid at night and got in trouble with the law??? What if you were in Brian's shoes and begged the chimney company to help testify in your case. This is just an example but please understand why Brian is angry and fighting so hard. He has autism, please understand, JaCody. Please understand James Cassell.

Thanks and God bless you all,
Roberta Hill

On 6/29/2022 9:44 AM, Ziglar, Aaron M. wrote:

> Dear Mr. Hill,
>
> Thank you for authorizing the Virginia Attorney General's Office to assist in the resolution of your dispute. Our Office has received the below written response from the business to your complaint. Please review it carefully and, if you would like to provide a response, please do so in writing within ten (10) business days from the date of this email.
>
> In the event I fail to hear from you in writing within ten business days, the complaint will be closed and no further action will be taken.
>
> This Office will retain the complaint form and copies of all official correspondence regarding the complaint in accordance with the applicable state retention schedule. Under the Virginia Freedom of Information Act, please be advised that these materials will be available to the public for review, upon request.
>
> If you have any additional information or need further assistance, please feel free to contact me or respond to this message.
>
> Sincerely,
>
> **Aaron M. Ziglar**
> **Dispute Resolution Specialist**
> Office of the Attorney General
> 202 North 9th Street
> Richmond, Virginia 23219
> (804) 786-1244 Office

3194

AZiglar@oag.state.va.us
http://www.ag.virginia.gov



-

From: Eric Ferguson <eferguson@fergusonlaw.net>
Sent: Tuesday, June 28, 2022 10:54 AM
To: Ziglar, Aaron M. <AZiglar@oag.state.va.us>
Subject: Re: 953850 Mr. Brian D. Hill VS The Chimney Sweep

Mr. Ziglar--Thanks for speaking with me yesterday and allowing me to submit this response in email format. I really appreciate your working with me and my client on submitting this response to the complaint of Mr. Hill.

My client is Jacody Cassell and he is the owner of The Chimney Sweep in Franklin County, VA. He has been the owner since 2016. His father had owned it from 1976 until 2016. Jacody has always worked for this company. His son works for him now and intends to take over the company one day.

The Chimney Sweep is a very reputable company and has had very few complaints made against them for their work. My client claims to have no knowledge of Brian D. Hill and Roberta Hill. My client has no records of ever providing an estimate for work to be done at the home of the Hills in Martinsville and he has no evidence of ever doing any work for the Hills at a home in Martinsville. My client has no record of ever being paid to do any work for the Hills. More importantly, until May 17, 2022, when Mr. Hill filed this complaint, my clients were never told about any of these claims.

My client has never done any work for the Hills. They have never received any complaints from the HIlls. One would think that it would not take 3-5 years to make a complaint. Mr. Hill is seeking damages for payment of his legal expenses as a result of criminal charges in 2018.

Mr. Hill's complaint is baseless and he has no evidence to support it. He has offered no contract, no estimate, and no evidence of payment. He has nothing with which to back up his complaint. Even if he did, the statute of limitations for bodily injury is two years. The appropriate statutes regarding contracts are 3 years for verbal agreements and 5 years for written agreements. Since he has no written one, one must assume that if he had an agreement, it would be verbal and therefore beyond that statute of limitation as well.

On behalf of The Chimney Sweep, I ask that this complaint be dismissed. There is no evidence to support this claim.

Please advise of any next step. Thank you for your time and consideration.

Eric H. Ferguson, Esq.

RHODES & FERGUSON ATTORNEYS AT LAW

305 S. Main Street

Rocky Mount, VA 24151

540-483-5234 (phone)

540-483-5763 (fax)

eferguson@fergusonlaw.net

PLEASE NOTE NEW EMAIL ADDRESS

Attachments:

Brian's Declaration in support of complaint The Chimney Sweep(3).pdf 168 KB

For the Dispute Resolution Specialist
Office of the Attorney General, Commonwealth of Virginia
Dispute Resolution Unit

Brian David Hill,	)	
Complainant,	)	
	)	**Case No. 953850**
v.	)	
	)	
The Chimney Sweep,	)	
Respondent.	)	
	)	
	)	

DECLARATION OF BRIAN D. HILL IN SUPPORT OF BRIAN DAVID HILL'S COMPLAINT AGAINST "THE CHIMNEY SWEEP" FILED ON MAY 17, 2022

I, Brian David Hill ("Brian D. Hill"), former news reporter and Founder of USWGO Alternative News from 2009 to 2012, being first duly sworn upon oath, do hereby depose and state, pursuant to Virginia Code § 8.01-4.3. Unsworn declarations under penalty of perjury; penalty:

1. I am not a licensed attorney but I know enough about law and drafting legal pleadings to put together this unsworn affidavit Declaration, that Brian David Hill, which is myself, have witness testimony to give Aaron M. Ziglar and the Office of the Attorney General, and a copy to Attorney Eric Ferguson in response to his claims made in the correspondence dated Tuesday, June 28, 2022.

2. Around September 26, 2017, I was aware of my mother Roberta Hill making a phone call to a business called “The Chimney Sweep”. I didn’t think making this affidavit would be important as I thought they would own up to their mistakes made on October 5, 2017, and didn’t know at that time that a mistake was even made until a later time. I now have no choice but to file this unsworn affidavit declaration and explain from my own witness testimony of what I know and remember to the best of my knowledge and abilities.
3. 11:23 AM EST, Tuesday, Around September 26, 2017, I remember my mother Roberta Hill in Apartment 1 making a phone call to a company called “The Chimney Sweep”. I was aware of how important finding a chimney service was as in 2016, a bunch of birds were flying and surrounding the chimney of our Triplex apartments, Roberta Hill’s apartment and my apartment, and birds swirling around flying at the chimney and flying into the chimney. I slightly recall birds making noises when I was around my chimney and heard the bird sounds. That would be the chimney swifts (birds). I live in Apartment 2, below Apartment 1. Apartment 3 is below Apartment 2.
4. Anyways, I do recall Roberta Hill calling the Chimney Sweep and overheard trying to get an estimate to try to get a chimney service to protect our chimney from the chimney swift birds as I heard that it would be illegal for us to remove the birds once they are in the chimney. So, we wanted something to

keep the chimney swifts out of the chimney which covers Apartment 1, Apartment 2, and below Apartment 2 was the ventilation for the hot water heater powered by natural gas and the radiator powered by natural gas. Both were powered by natural gas and both appliances are below Apartment 2. There is Apartment 3 and an area in the back of Apartment 3 leading to two gas appliances. Every-time hot water is being used, the gas hot water heater powers up as more water comes into the tank. So, it can affect the home all-year-round. Both the hot water heater and ventilator work in the winter time and in parts of the fall when cold weather sets in. Around November, 2017, would be around the time when the radiator would start being ready for usage for the winter as temperatures get colder.

5. I remember in September 26, 2017, Roberta Hill telling me about having that chimney service to come out around October 5, 2017.
6. Can't remember exactly what time of day, but I do recall it was after 1:30PM to 2PM. I remember that a work truck or vehicle came in to work on the chimney. Roberta Hill did speak with the person outside. She went out the door to talk with the person. That at some point she came in. This was on October 5, 2017. After the work was done, I assumed that the chimney was fixed to where the chimney swifts were not going to come in our chimney that year. My mother did rush by me while I was in Apartment 1 to get the check, I

was inside. Then I remember her walking back by me with the check and went outside. I assumed she paid the check to the chimney worker who worked for The Chimney Sweep. I do recall her saying she believes it was the young-looking son of the owner of The Chimney Sweep. I am not sure as I do not have their names myself at that time but I do know it was somebody from The Chimney Sweep. The phone number 276-790-3505 rings in both Apartment 1 and Apartment 2, as both apartments are tied to this phone number, yes and includes the year of 2017. So, I was aware of this company trying to call my mother, that she did ask them to come and fix the chimney swifts issue.

7. After The Chimney Sweep left, it was days and weeks later that I started having some weird thinking issues but kept being persistent while working on something called a 2255 Motion where I was trying to prove my actual innocence in Federal Court over another matter in 2017, and was able to file it in November, 2017. My thinking started not being as good, and had to review over the 2255 at my grandma's house. My thinking started slowly getting weird.
8. In Saturday, November 18, 2017, I remember I was in my office room in Apartment 2 of my home slowly working on affidavit and evidence pleadings to try to support my actual innocence claims by proving perjury by a witness for the U.S. Attorney to mail to the U.S. District Court, at some point in my

office room in Apartment 2, I fell asleep or fainted. I blacked out. I woke up and saw my mother, Roberta Hill, and First Responders, meaning not police officers that I recall but saw EMT ambulance staff. Part of my head was bleeding. An EMT worker took his cell phone and took a photograph of my face with the wound. I believe it was on Sunday, November 19, 2017. My mother tried to explain to me about my fall and she thought it was diabetic low blood sugar, and I freaked out as I needed to clean myself with my Autism Spectrum Disorder and Obsessive Compulsive Disorder (OCD) showering and washing myself routine before I go to the Hospital. So, I kept insisting that I voluntarily go the Hospital not by ambulance to wash myself. I had to sign a legal document and the EMT staff left my bed, and left my Apartment. I started doing the OCD routine for multiple hours while a nurse relative who was a relative in my grandpa's side of the family, I cannot spell her name correctly so this nurse was also present in Apartment 1 while I was doing the hand washing and washing my body routine. I was doing this while blood was dripping from my head. I wasn't thinking straight with a life risking head injury and after hours, I finally went to the Hospital. I didn't know about the lab results at that time or maybe I was told and didn't really think much of it or forgotten. I found out in 2019 that medical records shown I had Sinus Tachycardia, abnormal Mean Platelet Volume, abnormal White Blood Cell

count or some abnormal blood cell count, I had some abnormal symptoms or lab readings at the Hospital. I assumed and my mother assumed that I fell from a diabetic seizure. She told me after I was checked out from the Hospital, she shown me part of my desk with a little cabinet below the top of my desk. That cabinet was partially damaged from the bottom wood where I fell and hit my head there. That is in my office room. You have to go down the hall to get from my office room to my bedroom. I asked my mother what happened to my pillows. She said there was blood all on it, she had to clean the blood drops from my office to my bedroom. This was abnormal. I've had Type 1 brittle diabetes for many years since I was age 1 and a half. I always had falls when my diabetic blood sugar was low. She said I fell, hit my head, then somehow, I was found in my bed with blood on the pillows, I somehow went to my bed while blood was coming out of the laceration in my head. If this were a diabetic seizure as we assumed and reported to the Hospital with my claims, it did not match my behavior. If I did have a low blood sugar episode and diabetic seizure, I would not have gotten back up from my fall without needing glucose or a doctor or nurse or anybody. This didn't seem like the low blood sugar caused this fall, but was something else. It took until 2019 to figure out what really happened. In 2019, I believe I was blacked out by a

dangerous amount of Carbon Monoxide Poisoning while I was in my office room.

9. Jason McMurray of the U.S. Probation Office who conducts the usual periodical visits, each visit to my Apartment 2, he started noticing the wall around my chimney was starting to look weird, I mean like tears dropping from certain parts, like parts of my wall were crying. I had a Jesus Christ wood painting of some sort which fell from my wall around my chimney and near my front door to Apartment 2. My mom noticed that things could not stay nailed to the wall, as it would fall down. The wall started acting like it couldn't hold things. Parts of the ceiling started falling down and deteriorating. Later on in 2018, Mr. McMurray started telling me his verbal concern as my Probation Officer, he was concerned about the damage just showing up around my fireplace in both the ceiling and wall. He started telling me his concerns and thought it should be fixed in his opinion. That would be Jason McMurray of the Roanoke, U.S. Probation Office in Virginia. Went up to Apartment 1 to tell Roberta Hill about his concerns with my Apartment with the weird mysterious damages happening without explanation.
10. There were times in late 2017 to 2018 I called my grandmother Stella Forinash with my frustrations about my federal case, telling her that I cannot think straight. I assumed that the stress was getting to me. I started acting

different, and my family noticed I was behaving differently. As the carbon monoxide issues continued, to my belief after I learned the truth from Pete Compton in 2019, it all made sense. I was acting funny in my Apartment and my mother looked into my eyes and she thought I wasn't acting right. I will not get into the specifics how I was behaving differently, but my family could tell I was not acting right. Then later on I found out from medical records that on July 31, 2018, Dr. Shyam Balakrishnan noticed weird abnormal blood levels which again those weird results would make sense if anybody reading them ever found out that I was being exposed to carbon monoxide gas.

11. I was acting so abnormal that I decided on September 20, 2018, to go walking on the Dick and Willie hiking trail at night. I was clothed when I walked out of my home. Then I remember a vision about a man wearing a hoodie threatening to kill my mother if I did not get naked, took photos of myself, and place the camera and/or SD Card at the bench. None of this made any sense to me and Martinsville Police did not believe my story because my story did not make any sense. It didn't add up. My family thought I was not making any sense. The Federal Judge, U.S. Magistrate Robert S. Ballou in Roanoke, VA thought there was a chance I was making this up as an excuse for running around naked at the Dick and Willie hiking trail at night. None of this made any sense to me. I remember at that hearing, my Probation Officer Jason

McMurray telling the judge that I was making crazy off the wall statements about my fears somebody would kill President Trump and his whole family. He was concerned that I was losing it or wasn't mentally right in the head. They pushed for a mental evaluation at the FCI-1 in Butner, North Carolina, a Federal Prison for conducting mental evaluations for pretrial detainees.

12. When I was at Federal Correctional Institution 1 in Butner, North Carolina, pursuant to a Federal Court order for a mental evaluation in 2019, I was given actual physical visitation with my mother Roberta Hill, Stella Forinash, and Kenneth Forinash (grandparents). Meaning not behind a sheet of glass but was able to hang out with my family sitting in the visitation room at the prison. They started talking with me and I was able to have soda drinks, eat popcorn and other good snacks. They started telling me about Pete Compton finding that our home was exposed to Carbon Monoxide gas. I started thinking and it became a big thing with me as I started realizing that Carbon Monoxide gas was the cause of why I ran down the Dick and Willie walking trail butt naked and taking photos of myself in the nude on September 21, 2018. I started realizing it, it clicked with me, it made sense why police didn't believe me. I immediately told my family at visitation to research into the carbon monoxide issue. That after visitation I begged my family that after I go back to my prison

cell, they needed to find out why I just wandered out on the deserted Dick and Willie walking trail in Martinsville, Virginia in the nude, at night.

13. Some point after they started mailing me evidence which I sent to the Circuit Court for the City of Martinsville, VA in 2019, for my criminal case. I started realizing that carbon monoxide was the cause of why I was butt naked on a walking trail in the middle of the night without a believable explanation I could give to Martinsville Police Department.

14. I asked them to get digital photos of the Carbon Monoxide damage in the ceiling, the white residue in the chimneys of both Apartment 1 and/or Apartment 2. I asked them to take photos of the damage in 2019, the damage caused by the carbon monoxide gas. I then made copies of those photos at Butner Prison and sent them by mail to the Circuit Court for the City of Martinsville. After my release from detainment, I remember taking photos of the white residue in the chimneys. I had my evidence. I brought evidence to the Circuit Court for the City of Martinsville for my indecent exposure criminal case.

15. The photographs didn't mean anything to the lawyers, I was forced by my own court appointed lawyer Matthew Scott Thomas Clark, I was by forced by circumstances and he wouldn't do anything to prove my innocence to my charge of indecent exposure. I was forced to withdraw appeal in November of

2019, in my criminal case. Two years after my fall and wound in my head, the laceration. That would be two years after The Chimney Sweep worked on our chimney on October 5, 2017.

16. The lawyers kept telling me and my family that the Circuit Court would not accept the carbon monoxide evidence and photographs because they didn't have the levels. One such lawyer was Lauren McGarry, a corrupt mean lawyer who kept badgering me to accept guilt of indecent exposure. None of the CORRUPT lawyers for the City of Martinsville, the possibly corrupt Judge Giles Carter Greer of the Circuit Court for the City of Martinsville, none of them wanted to accept that I was gas poisoned by carbon monoxide in my home because I didn't have the damn levels. So, I withdrawn appeal, I gave up because the corrupt court appointed lawyer, the possibly corrupt Giles Carter Greer, none of them would let me prove my innocence at all, all they wanted was for me to accept guilt and give up. I was forced into this; I had no choice.
17. I still filed a timely direct appeal of my criminal conviction to buy more time to gather more evidence to try another Jury trial and to buy time to hold jurisdiction while I gathered more evidence or maybe a change of laws in Virginia would cause me to bring up carbon monoxide at a later time.
18. On September 12, 2019, I was ordered to self-report to the Federal Prison, they would not give me the time I needed to fight for acquittal in the Circuit

Court in Martinsville. I wanted to go after The Chimney Sweep for what they done to me and my family. I wanted to make them pay but I was focused on going to Federal Prison in December, 2019, that I became obsessed with fighting the corrupt Federal Judge and that took me away from fighting The Chimney Sweep for causing my Federal Imprisonment. I hated The Chimney Sweep since 2019 for what they have done. They caused my indecent exposure; they ruined my life. I had to go to Federal Prison because of THEM. Anyways, I was forced to fight the corrupt Federal Judge and file motions to vacate the conviction based on evidence of fraud on the court. The judge ignored my motions, I withdrawn appeal because it was too late to do anything because I was heading to Federal Prison on December 6, 2019, I had no time to go after The Chimney Sweep, to sue them for what they had done to me. I went to the Federal Prison on December 6, 2019, was discharged that same day for overserving my sentence. By some GOD GIVEN MIRACLE I didn't have to spend any night at this Federal Prison in Federal Medical Center in Lexington, Kentucky.

19. After I was released, I was busy working with my Fourth Circuit U.S. Court of Appeals appointed lawyer Edward Ryan Kennedy from West Virginia in my federal appeal, I started filing post-conviction motions and trying to fight the Circuit Court and dealing with filing things with the Court of Appeals of

Virginia. I was dealing with that for months and months. It became a few years. Then the court appointed lawyer John Ira Jones, IV, who used to work for the Attorney General of Virginia as counsel for the Commonwealth of Virginia, he became my lawyer then he screwed up and didn't file any Petition for Appeal in 2020. The appeal cases were dismissed and he apologized for what he did to me. Promised he would file motions for delayed appeal. They succeeded and then the case was delayed until 2021. The delays got even longer because of the COVID-19 panic crisis. Edward Ryan Kennedy was the best court appointed lawyer that I ever had, the rest were shit. Pardon my language but the rest of the court appointed lawyers were useless and crappy.

20. The lawyer, Eric Ferguson wondered why it took me 3-5 years to file my complaint against The Chimney Sweep. The reason why was that I kept trying to win in the Circuit Court for my wrongful conviction of indecent exposure. I kept getting betrayed over and over by my court appointed lawyers. That would be Scott Albrecht who was a chicken who ran away from Martinsville Public Defender Office. Then I was appointed Lauren McGarry who told me that I cannot prove carbon monoxide poisoning because I didn't have the levels. She refused to subpoena The Chimney Sweep. She refused to subpoena that business in 2019 for installing the metal tin on the chimney flues. Then I was appointed Matthew Scott Thomas Clark, another piece of s-h-i-t lawyer.

This lawyer told me that I couldn't bring up any solid defense and that I would go in front of Christian bible belt jurors who would wonder why I was found naked that night. They would not hear of The Chimney Sweep business; they would not hear anything about them installing metal tin on top of the chimney flues. They would not be called forth as witnesses. I would lose, it was all straight up just like Eric David Placke of the Federal Public Defender office in Greensboro, North Carolina. The same crappy court appointed lawyer who does nothing to prove your innocence, just tells you to give up, to plead guilty to a crime I am not guilty of. What a disappointment. I been through the corrupt legal circus for years and years. That is why I took 3-5 years to go after The Chimney Sweep. I been through the corrupt Circuit Court, I been through the corrupt Public Defenders, Corrupt Federal Judges, it all is a circus. A corrupt legal circus like a Casino, gambling with years in prison or just falsely plead guilty. It is all a circus to me. The reason I took so long as constantly filing motions on a pro se basis, having to fight and file many SCOTUS petitions and Federal Appeals. One appeal after another fails. Almost every motion I ever file is denied, in both the Federal Court and State Court, one motion denied after another. I never get anywhere. That, Eric Ferguson is why I had taken so long. I been through one legal circus hell after

another. Judge after judge calling me names, lying about me, lying about the record, lying about me being guilty, lying, distorting the facts.

21. I have no choice but to go after The Chimney Sweep for causing my indecent exposure. I am angry at them for going to jail and Federal Prison for months over me being exposed to carbon monoxide gas poisoning for almost a year. I been weird and acted abnormal from November, 2017, until I was arrested for being naked on the Dick and Willie walking trail in Martinsville. The effects got bad in November, 2017, that I had a wound which I still have such a scar left in my head. I STILL HAVE THE SCAR, and The Chimney Sweep caused that scar by putting the metal tin on top of the chimney on October 5, 2017. After they told me in Federal Prison about Pete Compton, about the carbon monoxide and about the metal tin, it all made sense to me. My family felt that it explained why I was naked and found naked by Martinsville Police on a public walking trail at night. It all made sense to me.
22. I cannot let it go until I get justice. I cannot forgive The Chimney Sweep for causing years of misery and legal hell to me until they can make amends.
23. I want them to tell Glen Andrew Hall, Esquire that they did install the metal tin on the chimney as was found by chimney expert Pete Compton of ACE Chimney in Bassett, Virginia. Who else would install metal tin on top of the chimney on October 5, 2017? The Easter Bunny? Santa Claus??? NO, it was a

chimney company that caused this. I believe it was The Chimney Sweep because I recall her calling them who are from Rocky Mount, VA desperate to finding a chimney company to prevent the chimney swift birds from flying into the chimney before the winter. No chimney swifts came in, in 2017. No chimney swifts came in the chimney in 2018. That was because metal tin was placed over the flues. The Chimney Sweep are responsible in my belief, in the best of my view and abilities. I want them to be held accountable because I am angry that they caused me years of legal misery, federal and state imprisonment and jails. They caused me all of this suffering and misery. I want them to pay for what they have done. I want them to accept responsibility for what they have done. I pray to God and Jesus everyday that The Chimney Sweep will make amends and admit to what they had done. They need to write an affidavit to the corrupt Commonwealth Attorney Glen Andrew Hall and write a letter to the Judge Giles Carter Greer, and admit to installing the metal tin on top of the chimney flues at 310 Forest Street, Martinsville, Virginia. If they will make amends, I will forgive them, I WILL FORGIVE THEM. I promise God, Jesus, I promise the Angels, I will forgive The Chimney Sweep if they will admit to what they had done on October 5, 2017. All I want is for them to admit to what they done. I understand it was a mistake they made. They made a booboo. They screwed up; it is not the end of

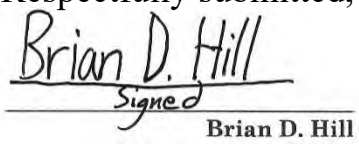
the world for them. They are not bad guys for making a mistake. However, they need to own up to what they have done and save me from my wrongful conviction. They need to own up to their mistakes. They need to tell the judge and the Commonwealth Attorney what they did on October 5, 2017. They need to just do that and I promise God, Jesus, and the Angels that I will forgive them and move on with my life.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on July 5, 2022.

Respectfully filed with Aaron M. Ziglar and Attorney Eric Ferguson (whom represents client: The Chimney Sweep) with email service (rbhill67@comcast.net) by and through pro se filing representative Roberta R. Hill. This the 5th day of July, 2022.

Respectfully submitted,



Signed
Brian D. Hill (Pro Se)
310 Forest Street, Apartment 2, Martinsville, Virginia 24112
Phone #: (276) 790-3505

Former U.S.W.G.O. Alternative News reporter
I stand with Q and with Attorney Lin Wood – Drain the Swamp
I ask Q for Assistance (S.O.S.)
Make America Great Again
JusticeForUSWGO.wordpress.com
USWGO.COM
JUSTICEFORUSWGO.NL

Subject: Read: 953850 Mr. Brian D. Hill VS The Chimney Sweep - AFFIDAVIT OF BRIAN DAVID HILL
From: "Ziglar, Aaron M." <AZiglar@oag.state.va.us>
Date: 7/5/2022, 9:10 AM
To: ROBERTA HILL <rbhill67@comcast.net>

[Office of the Attorney General]
Aaron M. Ziglar | Dispute Resolution Specialist
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Richmond, Virginia 23219
O: (804) 786-1244 | M: | F:
AZiglar@oag.state.va.us<mailto:AZiglar@oag.state.va.us>
https://www.oag.state.va.us

ForwardedMessage.eml

Subject: Read: 953850 Mr. Brian D. Hill VS The Chimney Sweep - AFFIDAVIT OF BRIAN DAVID HILL
From: "Ziglar, Aaron M." <AZiglar@oag.state.va.us>
Date: 7/5/2022, 9:10 AM
To: ROBERTA HILL <rbhill67@comcast.net>

Attachments:

ForwardedMessage.eml	17.3 KB
winmail.dat	6.5 KB

Subject: Re: 953850 Mr. Brian D. Hill VS The Chimney Sweep 2
From: "Ziglar, Aaron M." <AZiglar@oag.state.va.us>
Date: 7/6/2022, 9:56 AM
To: "rbhill67@comcast.net" <rbhill67@comcast.net>

Dear Mr. Hill,
Thank you for authorizing the Virginia Attorney General's Office to assist in the resolution of your dispute. Our Office has received the below written response from the business to your complaint. Please review it carefully and, if you would like to provide a response, please do so in writing within ten (10) business days from the date of this email. In the event I fail to hear from you in writing within ten business days, the complaint will be closed and no further action will be taken.

This Office will retain the complaint form and copies of all official correspondence regarding the complaint in accordance with the applicable state retention schedule. Under the Virginia Freedom of Information Act, please be advised that these materials will be available to the public for review, upon request.

If you have any additional information or need further assistance, please feel free to contact me or respond to this message.

Sincerely,

Office of the Attorney General

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From: Eric Ferguson <eferguson@fergusonlaw.net>
Sent: Tuesday, July 5, 2022 10:54 AM
To: Ziglar, Aaron M. <AZiglar@oag.state.va.us>
Subject: Re: 953850 Mr. Brian D. Hill VS The Chimney Sweep 2

Mr. Ziglar--I have reviewed all of these emails and Ms. Hill has been sending them to me regularly. I want to make this clear--neither my client nor myself are trying to do anything to Mr. Hill. We know nothing about what he has been through and it sounds like a lot. We are not trying to prevent him from being successful in his efforts. We are not trying to hurt his efforts. My client is trying to be as honest as he can be in this complaint. My client does not remember doing any work for the Hills in 2017 or ever. He does not believe that he has done any work for them. He has no records of ever providing estimates or doing any work for them.

I have reviewed the medical records provided with the complaint. I do not see where any medical personnel has made any diagnosis of carbon monoxide poisoning involving Mr. Hill. I tried to go over those records carefully and I do not think that I missed anything. If I did, I apologize for missing it.

I understand that Mr. Hill is trying to clear his name and I appreciate his efforts. However, my client cannot accept responsibility for something he does not recall. I cannot and will not debate Mr. Hill's medical conditions. I will leave that to him and his doctors. What they prove or show is also between him, his doctors and the courts.

I can only reiterate that my client does not recall, and has no records of, ever doing any work for the Hills.

Eric H. Ferguson, Esq.

RHODES & FERGUSON ATTORNEYS AT LAW

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eferguson@fergusonlaw.net

PLEASE NOTE NEW EMAIL ADDRESS

Subject: Re: 953850 Mr. Brian D. Hill VS The Chimney Sweep 2
From: ROBERTA HILL <rbhill67@comcast.net>
Date: 7/6/2022, 11:28 AM
To: "Ziglar, Aaron M." <AZiglar@oag.state.va.us>, "ltgov@ltgov.virginia.gov" <ltgov@ltgov.virginia.gov>, "LtGovernorJeanette.Nunez@eog.myflorida.com" <LtGovernorJeanette.Nunez@eog.myflorida.com>, Lin Wood <lwood@linwoodlaw.com>, Lin Wood <lwood@fightback.law>, "kenstella2005@comcast.net" <kenstella2005@comcast.net>, Kenstella <kenstella@comcast.net>, "Coen, Chris" <ccoen@oag.state.va.us>

Note: Lt. Governor, you see what is happening. The Chimney Sweep doesn't want to be held liable for anything. If they had any records, they covered up those records. It is time for the Governor to pardon Brian David Hill for being innocent. A pardon is the only way. Evidence being covered up right and left would be good enough reason for a pardon. Records being covered up would be good enough reason for a absolute pardon. Evidence and records are covered up for a reason, to prevent an innocent man from ever proving his innocence. Guilty men cover up evidence, innocent people do not cover up evidence. Brian Hill never covered up anything. The other side in his criminal case covered up anything favorable to Brian Hill. This can never be remedied in the rigged Courts. Actual Innocence is proven when evidence is covered up by the prosecution, by Martinsville Police, and any records from The Chimney Sweep just disappear as well. When evidence disappears, that means Brian Hill is innocent of his charged crime. Maybe the Innocence Project of Virginia needs to come in and assist Brian, he cannot fight this alone. He will never succeed without a lawyer or Innocence Project coming in. Otherwise he just needs to be acquitted. Cover ups just means innocence.

Aaron Ziglar,

Interesting that this lawyer doesn't want to wait until the check records are acquired from my closed bank account from the check in 2017 before responding. Interesting how Mr. Cassell claims to have no records.

That lie will be proven as a lie once the bank records are acquired.

Maybe the State Police needs to quickly subpoena the bank used by Mr. Cassell to cash in the check for $300 from myself. Then that proves a record once existed but highly likely that record was destroyed.

Just like the Martinsville Police body-camera footage being destroyed by the Commonwealth of Virginia during pending criminal litigation and after multiple court orders for discovery materials to be retained and provided to the defense. Just like the blood samples obtained at the Sovah Hospital being destroyed after Brian said he thought he was drugged in writing to the Federal Court.

Now the records don't exist as to The Chimney Sweep???

Records just disappear, evidence just disappears. I guess Brian is guilty then because evidence just disappears because my son is only guilty right???

Attorney Lin Wood is receiving this too because he was targeted by the Deep State for the

evidence and witnesses he has access to. **That is a tactic of the enemy to destroy records, to destroy evidence.**

Did Glen Andrew Hall put you up to this??? Did the Commonwealth Attorney Glen Andrew Hall told Mr. Cassell to destroy records proving that work was done on the chimney???

This sounds familiar what this lawyer is saying about there being no records, oops no evidence just like other sources. There are tax records. Where are the tax records required by law???

Let's see, a $300 check paid to The Chimney Sweep would have gone to Mr. Cassell. There should be some kind of record or even a financial record or tax record as records are usually kept for taxes. For a nice reputable business, they should have at least tax records or records for reporting taxes. Usually tax records regarding a service are required. **Maybe a tax record for $300 from a customer in October, 2017. Hmmm, maybe The Chimney Sweep lost the tax records of $300 income for October 5, 2017, or whatever date the check was cashed.**

Without any such records, it kind of seems like money laundering or some kind of scheme to get paid $300 and not report it for taxes. Like under the table type stuff. Get paid $300 and that record just disappears.

We will see Eric Ferguson once we get the check record. We will get whatever record exists from the bank required by five years to retain check records. We have the check stub in the photograph.

The Hospital didn't do CarboxyHemoglobin in November, 2017. If they did, then Brian Hill never would have been arrested for indecent exposure on September 21, 2018, because it never would have happened. If we had known in 2018 or late 2017 about the carbon monoxide, we would have stopped it and Brian Hill never would have been arrested and probably would have succeeded in overturning his federal case on actual innocence. The indecent exposure charge and conviction messed everything up for Brian. He has to be found innocent at all costs.

I think Eric Ferguson's response is just more cumulative proof that any evidence favorable to Brian Hill being innocent of indecent exposure has been destroyed, **any evidence favorable to Brian David Hill has been reportedly destroyed in regards to the indecent exposure case.**

Here is the evidence that has been destroyed due to both ineffective assistance of counsel, contempt of court, and judicial corruption and Martinsville Police corruption and lawyer corruption in Martinsville:

1. Police body-camera footage recorded on September 21, 2018, Brian D. Hill made statements to Officer Robert Jones, body-camera footage recorded by Officer Robert Jones;
2. Biological evidence obtained on September 21, 2018, blood vial or vials drawn from Brian Hill's arm before he was arrested by Arrest Warrant;
3. Laboratory work was to be deleted from the chart, so laboratory results were covered up at some point on or after September 21, 2018;
4. Attorney Renorda Pryor had kept her mouth shut about the cover up by omission in Federal Court transcript where Martinsville Police officer Robert Jones admitted under oath that Brian Hill was not being obscene when he originally charged Brian with obscenity;
5. **Any records or evidence of chimney work done at 310 Forest Street, Martinsville, Virginia.**

One cover up after another because Brian cannot afford the best lawyer he can get.

More and more evidence just keeps being covered up. Anything to prove my son's innocence has been covered up. I see the same pattern with The Chimney Sweep, the same pattern. "Oh I don't remember anything". **Just more and more covering up to keep my son convicted of a crime that he is innocent of. Such corruption. Such tyranny.** We had a 1776 American Revolution over this kind of corruption and tyranny and we are right back to the period before the American Revolution. **Taxation without representation, rigged jury trials, corrupt courts, corrupt judges, pedophiles and child molesters as President of the US and in other powerful government positions, government that breaks every law in the book and commits a long trail of abuses and usurpations to reduce us under absolute despotism.**

Anyways, it is just more evidence being covered up. Oh sorry, my son has no proof of innocence because it has all been covered up, haha they think. They covered up the bloodwork, they covered up the lab results, they covered up Officer Jone's admission under oath that Brian was not obscene when the whole basis was "making an obscene display", they covered up the body-camera footage.

Now the records from The Chimney Sweep just disappear. The same thing, doesn't matter which lawyer from wherever. **Just cover up the evidence to keep Brian Hill convicted of a crime. It is tough on crime, right!!!! It is great to just throw people in prison, don't care that somebody is innocent.**

This lawyer is just part of a corrupt judicial system, he is just as corrupt as the judges and other lawyers. **Just as corrupt because he is part of a corrupt system. A corrupt judicial system that doesn't care when somebody is not guilty of a crime. If somebody cannot afford a good lawyer, they get a Public Pretender. It is all the same. Virginia's court system is just as corrupt as North Carolina and just as corrupt as the Federal Courts. Corrupt, Corrupt, and Corrupt. Brian ain't a black man but he was mistreated by the corrupt judicial system all the same. He was treated the same way as criminal defendants of all skin colors, judicial corruption hurts us all. If your poor, your going to prison, that is a guarantee.**

The court is corrupt. They don't investigate anything, they don't do anything, just convict, convict, and convict. **If your rich you can break the law and get away with it, most of the time. Look at Jeffrey Epstein, look at Bill Clinton, look at the Bidens. If your poor and against the New World Order, they throw the book at you.**

The Virginia Court system needs to be reformed again, it is corrupt and the judges are corrupt. The Commonwealth Attorney is corrupt and the police are corrupt. John McAfee knew this before he was executed after his detainment, Attorney Lin Wood knows this, American actor Isaac Kappy knew how corrupt the government and courts were and he was murdered off of a bridge. Judges being blackmailed. Just part of the corrupt judicial system.

Aaron Ziglar, please wait for the check records or bank records, whatever they are called. If all records have just disappeared, that would include records needed for tax preparation, tax reporting, tax records. So if they truly have no records at all, then they were covered it up, just like Sovah Hospital on the day of his arrest, just like the body-camera footage ordered by the Court for the defendant to have access to that piece of evidence. Instead it was all destroyed.

So please wait for the check records, bank records, anything we get. It may be time for somebody in Government to subpoena the check and bank records of who cashed in my paid $300 check in Rocky Mount, VA. I'm sure that somewhere that check was cashed. That would prove Mr. Cassell did cash that check in somewhere. Somebody cashed that check in. **Checks don't cash themselves do they, Eric Ferguson???**

If there is truly no records, then they were covered up. Covered up, just like everything else. Brian Hill cannot get anywhere because he cannot afford an expensive criminal defense attorney. It is always the same story, innocent people go to prison, and the rich people do not. **Jailhouses are for the poor folks like us. Slave camps, to make slaves of the American poor people. Poor folks are meant to go to prison, even if they are not guilty of a crime. Always the same story. Nothing ever changes.**

Thanks,
Roberta Hill

> On 07/06/2022 9:56 AM Ziglar, Aaron M. <aziglar@oag.state.va.us> wrote:
>
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>
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upon request.

If you have any additional information or need further assistance, please feel free to contact me or respond to this message.

Sincerely,

Office of the Attorney General

Aaron M. Ziglar | Dispute Resolution Specialist
Office of the Attorney General
202 North 9th Street
Richmond, Virginia 23219
O: (804) 786-1244 | M: | F:
AZiglar@oag.state.va.us
https://www.oag.state.va.us

From: Eric Ferguson <eferguson@fergusonlaw.net>
Sent: Tuesday, July 5, 2022 10:54 AM
To: Ziglar, Aaron M. <AZiglar@oag.state.va.us>
Subject: Re: 953850 Mr. Brian D. Hill VS The Chimney Sweep 2

Mr. Ziglar--I have reviewed all of these emails and Ms. Hill has been sending them to me regularly. I want to make this clear--neither my client nor myself are trying to do anything to Mr. Hill. We know nothing about what he has been through and it sounds like a lot. We are not trying to prevent him from being successful in his efforts. We are not trying to hurt his efforts. My client is trying to be as honest as he can be in this complaint. My client does not remember doing any work for the Hills in 2017 or ever. He does not believe that he has done any work for them. He has no records of ever providing estimates or doing any work for them.

I have reviewed the medical records provided with the complaint. I do not see where any medical personnel has made any diagnosis of carbon monoxide poisoning involving Mr. Hill. I tried to go over those records carefully and I do not think that I missed anything. If I did, I apologize for

missing it.

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I can only reiterate that my client does not recall, and has no records of, ever doing any work for the Hills.

Eric H. Ferguson, Esq.

RHODES & FERGUSON ATTORNEYS AT LAW

305 S. Main Street

Rocky Mount, VA 24151

540-483-5234 (phone)

540-483-5763 (fax)

eferguson@fergusonlaw.net

PLEASE NOTE NEW EMAIL ADDRESS

Subject: Re: 953850 Mr. Brian D. Hill VS The Chimney Sweep 2
From: ROBERTA HILL <rbhill67@comcast.net>
Date: 7/6/2022, 1:24 PM
To: "Ziglar, Aaron M." <AZiglar@oag.state.va.us>, "ltgov@ltgov.virginia.gov" <ltgov@ltgov.virginia.gov>, "LtGovernorJeanette.Nunez@eog.myflorida.com" <LtGovernorJeanette.Nunez@eog.myflorida.com>, Lin Wood <lwood@linwoodlaw.com>, Lin Wood <lwood@fightback.law>, "kenstella2005@comcast.net" <kenstella2005@comcast.net>, Kenstella <kenstella@comcast.net>, "Coen, Chris" <ccoen@oag.state.va.us>

I did some research and tax laws may exempt chimney services. They likely counted all income together so individual checks may not have to be reported if what I read is correct. Businesses may keep check records in cases of possible audits from the IRS, even though they may not be required to keep records like checks cashed.

However, the check record still exists from my closed bank account for the 5 year retention period. My apologies on assuming that taxes covered each service individually paid for by customers. It covers income but usually the accountant likely adds all income up together and that is what was reported, if I am correct on this.

The check was made and it was cashed, that is what the bank record will prove.

Attorney Eric Ferguson needs to wait, he cannot just rush Brian's complaint to being dismissed. All of the communications Brian plans on filing with the Circuit Court, and hopefully on appeal he will get a favorable decision.

In regards to: https://justiceforuswgo.wordpress.com/2021/01/05/llinwood-l-lin-woods-tweets-makes-it-clear-it-is-highly-likely-our-federal-state-judges-and-politicians-are-being-blackmailed-threatened-possibly-with-child-rape-and-murder/, First all of the child rape and murder blackmail concerning federal/state judges will need to be ceased as **Brian plans on having Attorney Lin Wood subpoenaed and have the John McAfee evidence of blackmailed rapist judges and politicians to be investigated to stop the judicial corruption**, and **hopefully the patriots in law enforcement have the blackmail videos of the child rape and murder committed by the compromised judges and officials**. **If the patriots do have those videos, then the blackmailed judges can be removed from office, the corrupt blackmailed politicians can be removed from office.** Then we can finally start seeing corruption disappear in Virginia, in Martinsville. **The corruption will disappear once the child molesters in the courts and government offices are removed from their posts. Proving blackmail will be up to Attorney Lin Wood's source or sources. It will be up to those who have access to the cache of blackmail videos obtained by The Lizard Squad and possibly by John McAfee before he died in a jail cell.**

Anyways, this lawyer needs to wait on the check records, bank records. Rushing this seems suspicious to my son, and I believe it is suspicious to rush to have this complaint dismissed before the bank records are even given to me.

The FDIC can also intervene in this as well. The FDIC can act to make sure that I get the check records. The FDIC maybe even may be able to get that my check was cashed out, maybe.

Depending on the regulations and laws. However, just the $300 being paid will be enough evidence. Then that along with all correspondence will be turned over to a Federal Judge for Brian's Writ of Habeas Corpus petition asking for vacatur of his wrongful criminal conviction.

This whole dispute is just further evidence that Brian Hill is innocent. **Nobody wants to admit they done wrong and wants Brian to admit to doing wrong. Such hypocrites.** These fake republicans acting like they commit no crime and done nothing wrong then blame my son for a crime he is innocent of and refuse to accept his innocence. It doesn't matter about either side of the political parties. Corruption is everywhere.

Maybe the individual checks are not reported as income tax, maybe they can count all income together from the chimney business and individual checks are not reported as income for tax purposes, but the check record still exists until October 5, 2017 or whatever date that Mr. Cassell or any agent or representative of his cashed that check in.

The IRS does audits, maybe check records are kept in case of audits. **Regardless, if there are no records period while $300 was paid to The Chimney Sweep, then the records were likely shredded, destroyed, disappeared, GONE. There are no records because they disappeared. There is no disputing that fact when records just disappear, gone. Just another piece of evidence disappears when it is favorable to Brian Hill being acquitted of his criminal conviction.**

Another COVER UP to be brought up in the Circuit Court, and if the judge denies that too then it will go on appeal. My son is waiting until the check records before filing pdf printouts of all of this case correspondence with the Circuit Court and copies will be given to the Federal Judge over Habeas Corpus. The Chimney Sweep is involved but records were covered up. They are tied to this no matter how much they like to deny any knowledge of it.

Another cover up, another piece of evidence or witness evidence all destroyed and disappeared.

At this point hopefully a Federal Judge will see that Brian's entire criminal case is laced in cover ups, denials, contempts of court, violations of law, obstructions of justice, and just lying and disinformation. Hopefully the Federal Judge will consider this as a violation of Brian's due process rights both procedural and substantively. Brian's constitutional rights were violated since his arrest. Doesn't matter about The Chimney Sweep covering up their records when the entire criminal case was nothing but corrupt local judge, corrupt prosecutor, corrupt police, corrupt Hospital, corrupt everything. The entire criminal case should be vacated. I guess The Chimney Sweep will get away with everything, but Brian's constitutional rights were violated from the day of his arrest until even today.

> On 07/06/2022 11:28 AM ROBERTA HILL <rbhill67@comcast.net> wrote:
>
> **Note: Lt. Governor, you see what is happening. The Chimney Sweep doesn't want to be held liable for anything. If they had any records, they covered up those records. It is time for the Governor to pardon Brian David Hill for being innocent. A pardon is the only way. Evidence being covered up right and left would be good enough reason for a pardon. Records being covered up would be good enough reason for a absolute pardon. Evidence**

and records are covered up for a reason, to prevent an innocent man from ever proving his innocence. Guilty men cover up evidence, innocent people do not cover up evidence. Brian Hill never covered up anything. The other side in his criminal case covered up anything favorable to Brian Hill. This can never be remedied in the rigged Courts. Actual Innocence is proven when evidence is covered up by the prosecution, by Martinsville Police, and any records from The Chimney Sweep just disappear as well. When evidence disappears, that means Brian Hill is innocent of his charged crime. Maybe the Innocence Project of Virginia needs to come in and assist Brian, he cannot fight this alone. He will never succeed without a lawyer or Innocence Project coming in. Otherwise he just needs to be acquitted. Cover ups just means innocence.

Aaron Ziglar,

Interesting that this lawyer doesn't want to wait until the check records are acquired from my closed bank account from the check in 2017 before responding. Interesting how Mr. Cassell claims to have no records.

That lie will be proven as a lie once the bank records are acquired.

Maybe the State Police needs to quickly subpoena the bank used by Mr. Cassell to cash in the check for $300 from myself. Then that proves a record once existed but highly likely that record was destroyed.

Just like the Martinsville Police body-camera footage being destroyed by the Commonwealth of Virginia during pending criminal litigation and after multiple court orders for discovery materials to be retained and provided to the defense. Just like the blood samples obtained at the Sovah Hospital being destroyed after Brian said he thought he was drugged in writing to the Federal Court.

Now the records don't exist as to The Chimney Sweep???

Records just disappear, evidence just disappears. I guess Brian is guilty then because evidence just disappears because my son is only guilty right???

Attorney Lin Wood is receiving this too because he was targeted by the Deep State for the evidence and witnesses he has access to. **That is a tactic of the enemy to destroy records, to destroy evidence.**

Did Glen Andrew Hall put you up to this??? Did the Commonwealth Attorney Glen Andrew Hall told Mr. Cassell to destroy records proving that work was done on the chimney???

This sounds familiar what this lawyer is saying about there being no records, oops no evidence just like other sources. There are tax records. Where are the tax records required by law???

Let's see, a $300 check paid to The Chimney Sweep would have gone to Mr. Cassell. There should be some kind of record or even a financial record or tax record as records are usually kept for taxes. For a nice reputable business, they should have at least tax records or records for reporting taxes. Usually tax records regarding a service are required. **Maybe a tax record for $300 from a customer in October, 2017. Hmmm, maybe The Chimney Sweep lost the tax records of $300 income for October 5, 2017, or whatever date the check was cashed.**

Without any such records, it kind of seems like money laundering or some kind of scheme to get paid $300 and not report it for taxes. Like under the table type stuff. Get paid $300 and that record just disappears.

We will see Eric Ferguson once we get the check record. We will get whatever record exists from the bank required by five years to retain check records. We have the check stub in the photograph.

The Hospital didn't do CarboxyHemoglobin in November, 2017. If they did, then Brian Hill never would have been arrested for indecent exposure on September 21, 2018, because it never would have happened. If we had known in 2018 or late 2017 about the carbon monoxide, we would have stopped it and Brian Hill never would have been arrested and probably would have succeeded in overturning his federal case on actual innocence. The indecent exposure charge and conviction messed everything up for Brian. He has to be found innocent at all costs.

I think Eric Ferguson's response is just more cumulative proof that any evidence favorable to Brian Hill being innocent of indecent exposure has been destroyed, **any evidence favorable to Brian David Hill has been reportedly destroyed in regards to the indecent exposure case.**

Here is the evidence that has been destroyed due to both ineffective assistance of counsel, contempt of court, and judicial corruption and Martinsville Police corruption and lawyer corruption in Martinsville:

1. Police body-camera footage recorded on September 21, 2018, Brian D. Hill made statements to Officer Robert Jones, body-camera footage recorded by Officer Robert Jones;
2. Biological evidence obtained on September 21, 2018, blood vial or vials drawn from Brian Hill's arm before he was arrested by Arrest Warrant;
3. Laboratory work was to be deleted from the chart, so laboratory results were covered up at some point on or after September 21, 2018;
4. Attorney Renorda Pryor had kept her mouth shut about the cover up by omission in Federal Court transcript where Martinsville Police officer Robert Jones admitted under oath that Brian Hill was not being obscene when he originally charged Brian with obscenity;
5. **Any records or evidence of chimney work done at 310 Forest Street, Martinsville, Virginia.**

One cover up after another because Brian cannot afford the best lawyer he can get.

More and more evidence just keeps being covered up. Anything to prove my son's innocence has been covered up. I see the same pattern with The Chimney Sweep, the same pattern. "Oh I don't remember anything". **Just more and more covering up to keep my son convicted of a crime that he is innocent of. Such corruption. Such tyranny.** We had a 1776 American Revolution over this kind of corruption and tyranny and we are right back to the period before the American Revolution. **Taxation without representation, rigged jury trials, corrupt courts, corrupt judges, pedophiles and child molesters as President of the US and in other powerful government positions, government that breaks every law in the book and commits a long trail of abuses and usurpations to reduce us under absolute despotism.**

Anyways, it is just more evidence being covered up. Oh sorry, my son has no proof of innocence because it has all been covered up, haha they think. They covered up the bloodwork, they covered up the lab results, they covered up Officer Jone's admission under oath that Brian was not obscene when the whole basis was "making an obscene display", they covered up the body-camera footage.

Now the records from The Chimney Sweep just disappear. The same thing, doesn't matter which lawyer from wherever. **Just cover up the evidence to keep Brian Hill convicted of a crime. It is tough on crime, right!!!! It is great to just throw people in prison, don't care that somebody is innocent.**

This lawyer is just part of a corrupt judicial system, he is just as corrupt as the judges and other lawyers. **Just as corrupt because he is part of a corrupt system. A corrupt judicial system that doesn't care when somebody is not guilty of a crime. If somebody cannot afford a good lawyer, they get a Public Pretender. It is all the same. Virginia's court system is just as corrupt as North Carolina and just as corrupt as the Federal Courts. Corrupt, Corrupt, and Corrupt. Brian ain't a black man but he was mistreated by the corrupt judicial system all the same. He was treated the same way as criminal defendants of all skin colors, judicial corruption hurts us all. If your poor, your going to prison, that is a guarantee.**

The court is corrupt. They don't investigate anything, they don't do anything, just convict, convict, and convict. **If your rich you can break the law and get away with it, most of the time. Look at Jeffrey Epstein, look at Bill Clinton, look at the Bidens. If your poor and against the New World Order, they throw the book at you.**

The Virginia Court system needs to be reformed again, it is corrupt and the judges are corrupt. The Commonwealth Attorney is corrupt and the police are corrupt. John McAfee knew this before he was executed after his detainment, Attorney Lin Wood knows this, American actor Isaac Kappy knew how corrupt the government and courts were and he was murdered off of a bridge. Judges being blackmailed. Just part of the corrupt judicial system.

Aaron Ziglar, please wait for the check records or bank records, whatever they are called. If all records have just disappeared, that would include records needed for tax preparation, tax reporting, tax records. So if they truly have no records at all, then they were covered it up, just like Sovah Hospital on the day of his arrest, just like the body-camera footage ordered by the Court for the defendant to have access to that piece of evidence. Instead it was all destroyed.

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Thanks,
Roberta Hill

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Sincerely,

Office of the Attorney General

Aaron M. Ziglar | Dispute Resolution Specialist
Office of the Attorney General
202 North 9th Street
Richmond, Virginia 23219
O: (804) 786-1244 | M: | F:
AZiglar@oag.state.va.us
https://www.oag.state.va.us

From: Eric Ferguson <eferguson@fergusonlaw.net>
Sent: Tuesday, July 5, 2022 10:54 AM
To: Ziglar, Aaron M. <AZiglar@oag.state.va.us>
Subject: Re: 953850 Mr. Brian D. Hill VS The Chimney Sweep 2

Mr. Ziglar--I have reviewed all of these emails and Ms. Hill has been sending them to me regularly. I want to make this clear--neither my client nor myself are trying to do anything to Mr. Hill. We know nothing about what he has been through and it sounds like a lot. We are not trying to prevent him from being successful in his efforts. We are not trying to hurt his efforts. My client is trying to be as honest as he can be in this complaint. My client does not remember doing any work for the Hills in 2017 or ever. He does not believe that he has done any work for them. He has no records of ever providing estimates or doing any work for them.

I have reviewed the medical records provided with the complaint. I do not see where any medical personnel has made any diagnosis of carbon monoxide poisoning involving Mr. Hill. I tried to go over those records carefully and I do not think that I missed anything. If I did, I apologize for missing it.

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I can only reiterate that my client does not recall, and has no records of, ever doing any work for the Hills.

Eric H. Ferguson, Esq.

RHODES & FERGUSON ATTORNEYS AT LAW

305 S. Main Street

Rocky Mount, VA 24151

540-483-5234 (phone)

540-483-5763 (fax)

eferguson@fergusonlaw.net

PLEASE NOTE NEW EMAIL ADDRESS

ROBERTA HILL <rbhill67@comcast.net> 7/7/2022 3:54 AM

Re: 953850 Mr. Brian D. Hill VS The Chimney Sweep 2

To Ziglar, Aaron M. <aziglar@oag.state.va.us> • eferguson@fergusonlaw.net <eferguson@fergusonlaw.net> Copy Ken & Stella Forinash <kenstella@comcast.net> • kenstella2005@comcast.net <kenstella2005@comcast.net> • stanleybolten@justiceforuswgo.nl <stanleybolten@justiceforuswgo.nl> • Lin Wood <lwood@linwoodlaw.com>

Aaron Ziglar,

My son is wanting me to email you this letter, he already faxed this to both offices.

We are still waiting on the bank records. Brian and me will be heading to TRUIST branch bank in our local area to see if this will get the records more quickly or make sure that the process is started.

Brian wants this bank account records to be his final evidence on record in both the Attorney General Office, with Aaron Ziglar, and with the office of Eric Ferguson. Brian asks for this attorney to wait for the bank records. Once they are filed, Brian will give JaCody Cassell one more chance to admit to what he done, before he files the evidence of lying to the Circuit Court in his bid for a new trial by jury or judgment of acquittal, then they will turn it over to the Federal Court in my son's petition for a writ of habeas corpus asking for vacatur of state conviction.

While we wait, my son has typed up this faxed letter. He wants this final evidence before he plans to dismiss his complaint and let the Feds handle this situation in his writ of habeas corpus request.

Once the bank records are obtained, if they do further prove that Mr. Cassell had lied as we feel those records will further prove this, Cassell will be given one more chance to do the right thing and admit to what he had done.

My son is turning this over to Jesus Christ and God to prosecute Mr. Cassell on judgment day in the Court of God, in the Court of Heaven when that day finally comes. Jesus knows all, sees all, and Jesus knows that Brian is not lying about this. Jesus knows who placed the metal tin on our chimney at our Triplex. If JaCody did not place the metal tin, then he has nothing to worry about. If he did then God will show him what he did to Brian.

We all have a life review, spiritually, and when he faces his own life review someday, JaCody Cassell will experience the feeling of the pain he caused us both. The pain and misery, the suicidal thoughts, he will feel all of that pain and emotional trauma. He will feel all of it. He will feel our pain which he caused. I believe he had caused the carbon monoxide gas for almost a year for Brian, over a year for me. Cassell will spiritually experience the pain he caused us. If you ever read spiritual and scientific studies about out of body experiences, a spiritual world does exist whether your a atheist or not. God does exist. We are all judged for our acts, whether it is technically illegal or legal. https://www.embracedbythelight.com/

Brian will give this issue to God to prosecute JaCody for the damage and emotional trauma he had caused, the wrongful conviction caused by the carbon monoxide. Brian will ask a federal judge to undo his state conviction.

Thanks,
Roberta Hill

3231

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Eric H. Ferguson, Esq.

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Rocky Mount, VA 24151

540-483-5234 (phone)

540-483-5763 (fax)

eferguson@fergusonlaw.net

PLEASE NOTE NEW EMAIL ADDRESS

- Letter to Aaron Ziglar and Eric Ferguson - July 6, 2022(8).pdf (863 KB)

LETTER TO OFFICE OF AARON M. ZIGLAR, ATTORNEY GENERAL, DISPUTE RESOLUTION UNIT, AND ATTORNEY ERIC FERGUSON

RE: Case number: 953850; Mr. Brian D. Hill VS The Chimney Sweep

WEDNESDAY, JULY 6, 2022
EDITED, FINISHED ON THURSDAY, JULY 7, 2022, 12:53 AM

ATTN: Aaron M. Ziglar Dispute Resolution Specialist Office of the Attorney General 202 North 9th Street Richmond, Virginia 23219 Phone: (804) 786-1244 FAX: (804) 225-4378 AZiglar@oag.state.va.us	**ATTN: Eric H. Ferguson, Esq.** RHODES & FERGUSON ATTORNEYS AT LAW 305 S. Main Street Rocky Mount, VA 24151 eferguson@fergusonlaw.net Phone: 540-483-5234 FAX: 540-483-5763

To Whom it may Concern,

I would like to reach out to you more personally rather than Roberta Hill conveying messages to you.

I ask Aaron Ziglar to wait until I and Roberta Hill receive a copy of her bank account record and/or check record proving that $300 was paid to The Chimney Sweep.

Once I do, I will have the evidence proving that Mr. JaCody Cassell is lying about not doing any chimney work for Roberta Hill at 310 Forest Street, Martinsville, Virginia 24112. Lying about no estimate. Lying through his representative Attorney Eric Ferguson who is simply repeating what his client is directing him to do. As it is ethical to always do what your client asks you to do, though my court appointed lawyers did not do much of that if any at all.

It is admirable Attorney Eric that you will do whatever your client asks you to do. Even if certain statements Attorney Ferguson had said can be proven to be untrue.

In this Attorney's statements from his client, Mr. Cassell, owner of the business titled as “The Chimney Sweep” in Rocky Mount, Virginia. Attorney Eric Ferguson said

some statements which I will directly prove are not truthful.

CITATION FROM ATTORNEY ERIC FERGUSON'S RESPONSE DATED JUNE 29, 2022: “My client has never done any work for the Hills.”

The formal written requests from Roberta Hill were put in to both the FDIC, SunTrust (failed bank) through FDIC, and TRUIST bank. I successfully faxed TRUIST bank in both Martinsville branch and Ridgeway branch. I am simply waiting for the records.

Once I have the bank records, the photograph of the check stub, it will prove that $300 was paid to The Chimney Sweep in October, 2017, on the date which the money was transferred out of Roberta Hill's bank account in October, 2017. The check was dated as to being October 5, 2017.

I am aware that SunTrust in 2017 scans checks and keeps certain electronic records such as photocopies of cashed checks. The check date on the photograph of the check stub as to being OCTOBER 5, 2017 also backs the phone records of 276-790-2505 phone account on xFinity/Comcast. It backs that Roberta Hill made a phone call to the phone number (540) 483-2468, US Phone Book printout proved that the phone number belonged to James Cassell, who was the owner of the business known as The Chimney Sweep. Roberta opened the image to tab browser feature at the BBB profile for The Chimney Sweep to view the image logo of The Chimney Sweep and it was a large image to her surprise.

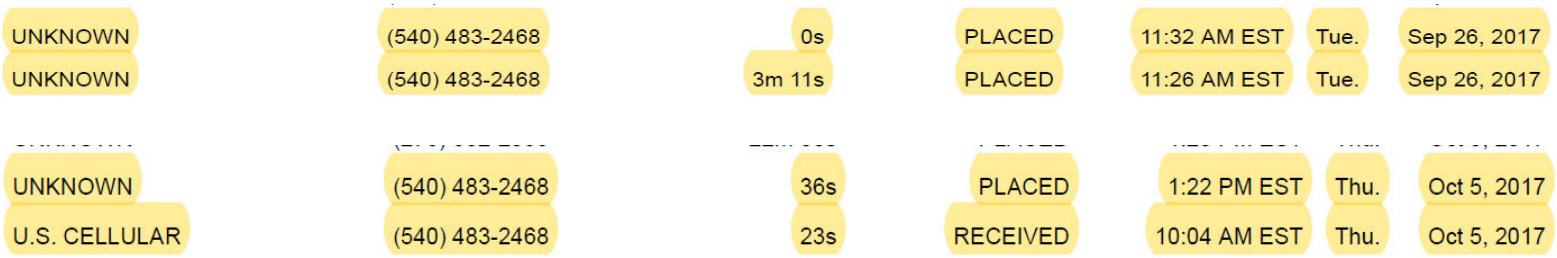


Notice the logo for The Chimney Sweep is the exact same phone number as the caller logs supporting that two times of phone calling in the telephone records.

Roberta Hill received a phone call from (540) 483-2468 at around 10:04 AM EST, Thursday, Oct 5, 2017, lasted 23 seconds. Roberta Hill later made a phone call back to that number (540) 483-2468 at around 1:22 PM EST, Thursday, Oct 5, 2017, lasted 36 seconds. At the time Mr. Cassell, whichever Cassell it was had used the mobile cell phone provider U.S. CELLULAR. That we can prove.

What would cause The Chimney Sweep or Mr. Cassell to even be involved with calling Roberta Hill on October 5, 2017?

Roberta Hill made a longer phone call to that same number (540) 483-2468 at around 11:26 AM EST, Tuesday, September 26, 2017, lasted 3 minutes and 11 seconds. At the time Mr. Cassell, whichever Cassell it was had used the mobile cell phone provider U.S. CELLULAR. That we can prove. U.S. Cellular is his cell phone provider at the time. Roberta Hill did a phone lookup at a site called freecarrierlookup.com and printed the record for mne in pdf format. It is still at the cell phone provider of "US Cellular Corp." the exact same phone provider name coming up in the caller ID in one of the phone call log entries.



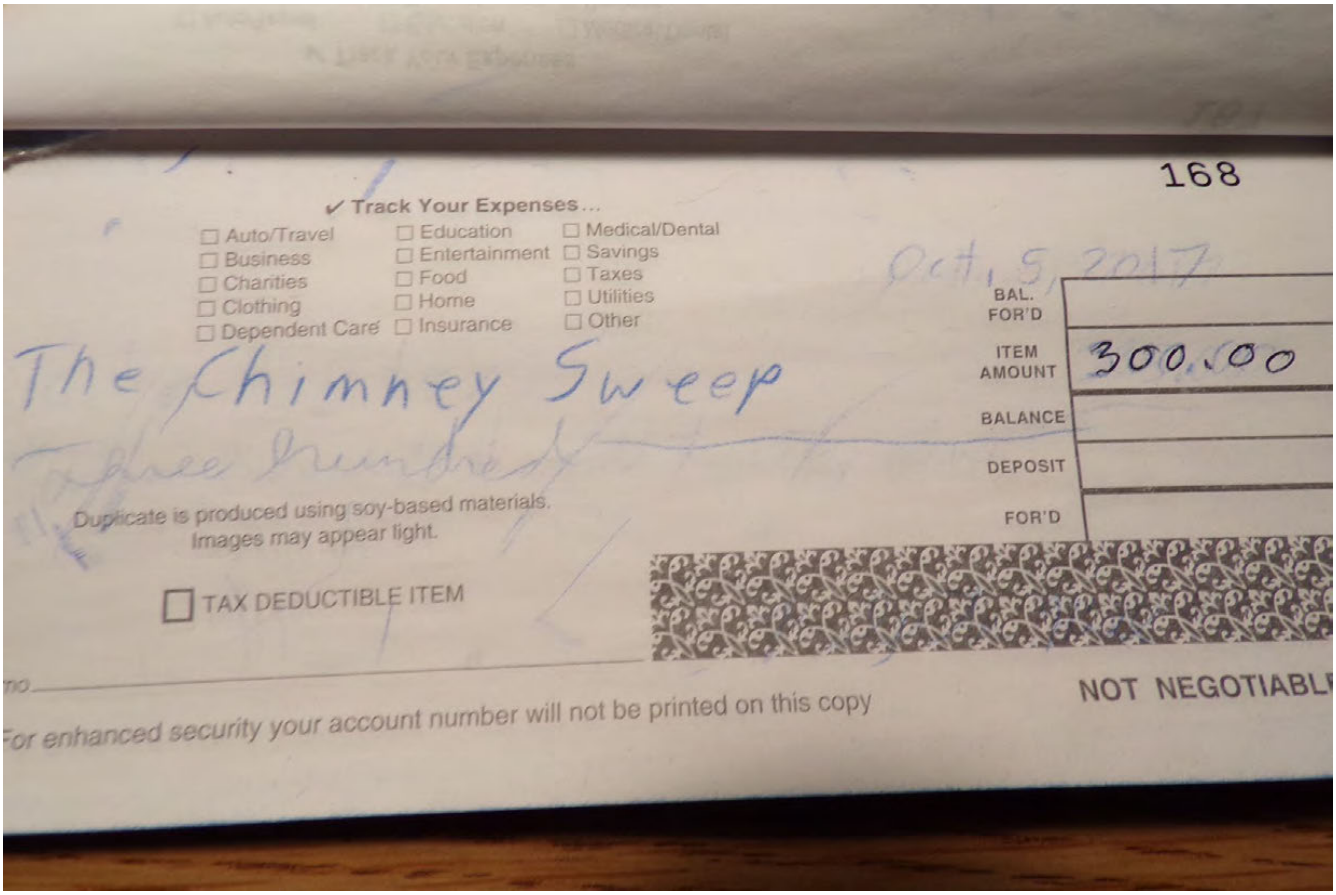
Once I have a pdf or scanned copy of Roberta Hill's bank account records and proof of $300 leaving her bank account, I will have her sign an affidavit that the photograph of the check stub is a photo of her check stub and named as to being paid to "The Chimney Sweep" on the date of "Oct. 5, 2017" in the amount of $300. Her affidavit, the bank account records, and the telephone records prove beyond doubt that The Chimney Sweep was doing an estimate or doing business of some sort with Roberta Hill, in 2017.

Why would Roberta Hill pay $300 to a business called "The Chimney Sweep" on the exact same day of the telephone call logs proving that Mr. Cassell's cell phone number from provider U.S. CELLULAR was in two phone call log entries on the exact

same day as the check stub??? Both placed and received calls.

CITATION FROM ATTORNEY ERIC FERGUSON'S RESPONSE DATED JUNE 29, 2022: “Mr. Hill's complaint is baseless and he has no evidence to support it. He has offered no contract, no estimate, and no evidence of payment. He has nothing with which to back up his complaint.”

We do have evidence of payment. The bank account records will prove that the money was drawn out of her bank account and that money was being paid for by check to “The Chimney Sweep”.



The reason Roberta Hill has no contract was because she was never given this paper contract to my knopwledge, she cannot find this paper contract. I find it odd that she has no paper contract despite having records of other repair work done to the same home. I don't believe Mr. Cassell ever gave her a paper contract as long as I remember, it would be their fault and not our fault.

CITATION FROM ATTORNEY ERIC FERGUSON'S RESPONSE DATED JUNE 29, 2022: "My client has no records of ever providing an estimate for work to be done at the home of the Hills in Martinsville and he has no evidence of ever doing any work for the Hills at a home in Martinsville."

We have something in this country called the Fifth Amendment, Constitutional right to remain silent. It is Mr. Cassell's right to deny everything or keep his mouth shut. Denying everything can be more detrimental then simply remaining silent under the Fifth Amendment. Especially when any denials are disproved with counter evidence.

However, if this Attorney Eric Ferguson truly wants his client's claims to be entirely true without any shadow of doubt, this lawyer and his client should have simply remained silent because the telephone records, the photograph of the check stub, the BBB profile printout, The US Phone Book printout, the logo for The Chimney Sweep, and the incoming bank account records will prove that $300 was paid to The Chimney Sweep and the check was issued by Roberta Hill to The Chimney Sweep on the very same day the phone number (540) 483-2468 was called and call received from that number on the exact same day. That number belonged to James Cassell, at the time this mobile phone number was published on US Phone Book, and that directly ties the check stub with the exact same name as the business and the phone number in the phone logs.

I would say the 3 minutes and 11 seconds on September 26, 2017 would be plenty of time to discuss an estimate, for the visit and chimney work to be conducted on October 5, 2017. $300 paid to "The Chimney Sweep" from Roberta Hill's bank account.

CONCLUSION

At this point the claims by Attorney Eric Ferguson regarding no work ever being done at the Hill's residence in Martinsville and no estimate are fraudulent, false statements.

Despite it being scant bits and pieces of evidence, it is enough to prove a few statements made by Attorney Eric Ferguson's client Mr. Cassell are fraudulent, false statements. Pokes holes in those statements. Shows evidence of a possible cover up. Possible cover up by Mr. Cassell.

$300 was paid for chimney work done on October 5, 2017 at the chimney, and the phone call logs prove activity was going on around or on October 5, 2017, involving Mr. Cassell.

As I said before, he has the constitutional right to remain silent. Before ever attempting to make me out to be a liar in any way, shape, or form.

His statements had proven by and through his lawyer Eric Ferguson that he will remain silent as tight as a clam. He will never admit to what he had done. It's useless.

It is come to the best of my belief that Mr. James Cassell or JaCody Cassell will never admit to placing metal tin on top of the chimney flues on the date of October 5, 2017. The fact that the complaint process, as argued by Mr. Aaron Ziglar, Dispute Resolution Specialist, he repeatedly said that the process to respond to my complaint was voluntary. The fact that Mr. Cassell would pay money and hire a lawyer, Mr. Eric Ferguson (a lawyer from Rocky Mount, VA) just to try to shoot down my COMPLAINT with the Office of the Attorney General when Aaron Ziglar repeatedly argued that the process was voluntary tells me that he is afraid of possibly criminal liability and needed to mitigate the situation by simply acting as though I am a liar, and deny everything, act like nothing is true. I symbolically shot a few holes in Attorney Eric Ferguson's claims which came directly from his client Mr. Cassell.

Like Aaron Ziglar had warned, the dispute resolution process was voluntary and is not a legal process. I was trying to get Roberta Hill to have Mr. Cassell feel guilty enough to admit his wrongdoing. A Stanley Bolten reportedly in some emails tried a few times to try to persuade Mr. Cassell to admit to what he had done. That failed. Tight as a clam.

Mr. Cassell simply made a mistake, he didn't intentionally place metal tin on top of the chimney flues with any ill intent. He made a mistake which had caused the carbon monoxide gas exposure since October 5, 2017, after the chimney work was completed.

Of course this attorney can shoot down my unsworn affidavit/declaration dated July 5, 2022 based on any legal technicality of my federal case but Roberta Hill can write an affidavit about what had happened and hers would hold up in a court of law.

However it would have been better if Mr. Cassell had remained silent rather than deny everything which destroyed his credibility the very minute we produce records

disproving even a portion of the claims made by Mr. Cassell. His attorney is right, it is beyond the statute of limitations to file a lawsuit against Mr. Cassell and against The Chimney Sweep. So why take the time and pay attorney fees to deal with my complaint which is voluntary to respond to??? I am judgment proof, my only income is SSI disability. Why hire an attorney to respond to a supposedly “baseless” complaint if that were entirely true?

I believe there is probably some unintended consequence or consequences which scared Mr. Cassell into lawyering up. Usually certain things cause people to lawyer up.

To these reasons, I believe I have poked enough holes in Mr. Cassell's claims, that his claims of never being involved with Roberta Hill to do chimney work is baseless and based on false statements by Mr. Cassell. Enough evidence to show a reasonable doubt if Mr. Cassell made such claims against me in a court room, I can show the phone record logs, check stub, the bank account records. That would be enough to dismiss Attorney Ferguson's claims against me in front of a jury by poking those few holes which would be reasonable doubts. I have enough proof that it proved chimney work was done as $300 was paid to a business doing CHIMNEY work. What kind of work did they do on October 5, 2017??? That can be kept to speculation but Mr. Cassell cannot disprove my claims completely by claiming no involvement when there is scant evidence proving involvement of Mr. Cassell and money paid to his business. The phone records of his phone number in contact with Roberta Hill's phone number match the date of the check stub and will match the bank account records.

I will at some point have those bank account records from Roberta Hill. I will have Roberta Hill email those records directly to Mr. Aaron M. Ziglar, as well as give me the physical copies which will be scanned and made into PDF file copies . He will have those in his office of the Attorney General, and copies will be given to the Office of the Attorney General.

I was hoping to have Mr. Cassell admit to placing the metal tin on top of the chimney on October 5, 2017, and that would establish evidence in my criminal case that Brian David Hill was subject to carbon monoxide poisoning from October 5, 2017, until the day I wandered away from home in late night September 20, 2018, and was walking naked down a deserted walking trail at night until I was arrested on September 21, 2018. My Autism Spectrum Disorder along with the Carbon Monoxide gas poisoning caused me to wander away from home and the effects of the carbon monoxide odorless tastless gas caused me to take my clothes off and walk around naked on a deserted walking trail

for hours in the middle of the night until a passing car went by the road right close to the Dick and Willie walking trail, around Hooker Street and saw me running naked and called Martinsville Police who arrested me. The carbon monoxide effects had caused me to make confusing statements which gave Officer Robert Jones the wrong conclusion that Brian David Hill was making false statements or misleading statements. People with Autism Spectrum Disorder are known to make false confessions and misleading statements to law enforcement according to a report from Dennis Debbaudt, a law enforcement trainer. Family gave me this link to paste in here: https://www.polfed.org/WestMids/media/1938/interview-and-interrogation-of-people-with-autism.pdf or https://web.archive.org/web/20220614102303/https://www.polfed.org/WestMids/media/1938/interview-and-interrogation-of-people-with-autism.pdf. Carbon monoxide can worsen the symptoms of Autism or even cause a regression leading me to exhibiting a behavior usually exhibited from younger autistic children who at times are found naked outside or wandering naked at night. So I exhibited an unusual behavior that normally happens with autistic children such as wandering and walking naked and confused due to the prolonged (long term) carbon monoxide exposure from October 5, 2017, until September 20, 2018.

The fact that Mr. Cassell did not exercise his right to remain silent but instead decided to make a bold move of hiring an attorney to simply respond by denying any and all involvement in anything regarding chimney work done on October 5, 2017 at 310 Forest Street had shown me that my claims will at least be considered if I file a motion for a New Jury Trial based on the false claims made by Mr. Cassell in response to only me accusing Mr. Cassell of placing metal tin on top of the chimney flues to block the exhaust from the chimney flues, when the intent of the metal tin was only with attempting to stop the chimney swifts birds from flying into the chimney in the fall. Based on what Pete Compton from ACE Chimney found in January of 2019. We all immediately figured out that this was done by the work of The Chimney Sweep. All of my supporting family members such as Roberta Hill, Stella Forinash, and Kenneth Forinash, we all knew it had to be from the past chimney work done on October 5, 2017.

I have enough evidence to push for a new trial in my criminal case based on Mr. Cassell's denials of everything even in the face of scant evidence proving $300 paid to The Chimney Sweep on October 5, 2017, phone call logs between Roberta Hill through 276-790-3505 and Mr. Cassell's mobile number (540) 483-2468 which is on provider U.S. CELLULAR, calls made on both September 26, 2017, and October 5, 2017. Normally a check would be paid to a contractor or business after the work was

completed. So the work would be completed on October 5, 2017. I have enough evidence to push back against Mr. Cassell's wall of denial. WALL OF DENIAL!!!!!!!!!

Once I get the bank account records, copies given to Attorney Eric Ferguson and Aaron Ziglar, I will give Mr. Cassell one more chance to voluntarily be a witness in my criminal case. I do not want money, I don't want a pursue a financial claim for damages against Mr. Cassell, I make that clear. I need him to testify in my criminal case. I will provide the contact information for the Circuit Court and the criminal case number. I will give Mr. Cassell one more chance to make things right after I receive the bank account records and confront his attorney with these records. He can still agree to testify and write an affidavit as of right now. He can agree to testify and I can agree to waive liability claims against him if that makes him feel more comfortable about testifying.

I agree to sign a conditional waiver of liability where I will not hold Mr. Cassell and any of his workers and agents liable for anything he has done and will not push to hold him criminally liable either, if he agrees to tell the truth and tell the facts from his own witness testimony. I will not tell him what to say, it is up to him to testify and up to him to answer my questions and the questions of the Commonwealth Attorney at any future criminal case hearings involving my charge of indecent exposure. All I want is for him to be a witness. His denials tell me that he is lying, that he does remember what happened and denies it out of fear, out of fear that it would have him civilly and criminally liable. I understand a mistake was made and that Mr. Cassell did not intentionally place metal tin on top of the chimney flues to cause carbon monoxide. If he did, then that is between him and God, that will be something he would have to face on Judgment Day, when that day naturally comes as will come for every one of us, someday. Judgment day where you will be judged for every action you take.

I will give him one more chance to make things right. One more chance before I submit the final pieces of evidence (bank account records once acquired) to the Circuit Court and that will be filed in the Federal Court in my 2254 motion once the entire State Court criminal case records are filed by the Commonwealth of Virginia in my 2254 Motion petitioning for Writ of Habeas Corpus to overturn my state conviction.

It is clear that the Circuit Court judge will feel that Mr. Cassell was lying about not doing any chimney work for Roberta Hill in Martinsville. And was lying about not doing an estimate. Even with scant evidence, lying in an attempt to shut down a complaint which is voluntary to respond to would be viewed in a negative light. The judge may consider this enough for a New Trial based on new evidence in my criminal

case. My claims would hold weight since lying in response to a complaint is usually a sign of guilt. A wall of denials when holes can be poked in such a large wall equals guilt. Lying in a voluntary response to attempt to dismiss a complaint which isn't even a lawsuit, it isn't guaranteed to receive any financial damages claims if beyond the statute of limitations, especially a hard statute of limitations. Yet lying to get a complaint dismissed as baseless when it isn't even considered a legal process. It is voluntary.

I will submit what I have so far to the Circuit Court Clerk, then soon enough I will ask for a New Trial again in my criminal case in the Circuit Court but based on the few proven lies of Mr. Cassell. I have no need to sue Mr. Cassell. If I win the jury trial, I can sue the Commonwealth Attorney Glen Andrew Hall for malicious prosecution against an innocent man. I would be compensated by the Commonwealth of Virginia for damages cased by the prosecutor. I am confident I would win suing the prosecutor of my criminal case. I would also sue my court appointed lawyers too, and win on defective counsel. I have no need to sue Mr. Cassell. I can sue the prosecutor and the ineffective defense attorney. I will also sue Martinsville Police and sue the Police Chief G. E. Cassady. I will sue them all, and I would win. I rather sue them than sue The Chimney Sweep. Believe me, I need you as a witness and suing you would not be in my best interest even if there wasn't a statute of limitations. I rather compel you to admit the truth.

At some point, NOT NOW, I plan on dismissing my complaint voluntarily after I receive the bank account records, regardless of Mr. Cassell's decision and give Mr. Cassell one last chance to make things right and admit to what he had done placing the metal tin on top of the chimney. One more chance, write an affidavit and agree to be a witness until my criminal case is disposed of and dismissed. Regardless, the complaint will be dismissed. I will not hold this complaint over you, I about have enough evidence.

Mr. Cassell has his right to remain silent, he has the right to not be a witness against himself, and him lying in response to my complaint will not help him disprove my claims when I push for a New Trial in the Circuit Court for the City of Martinsville.

Regardless of whether Mr. Cassell will testify or not, at some point after I have my final evidence I will have the complaint dismissed upon the ground that Mr. Cassell is as tight as a clam, will not cooperate to being a witness in my criminal case, and that my complaint case is going nowhere. Regardless, I am dismissing the complaint once I have the final evidence and give Attorney Eric Ferguson's client one more chance to admit to what he had done on October 5, 2017, despite the scant evidence available.

I hope that Mr. Cassell will do the moral thing, do the smart thing, be right with God, tell the truth, and stop lying.

I pray to God that he will tell the truth and do the right thing. Denying everything only hurts me and hurts my mother Roberta Hill, and lying hurts himself. Someday in the Court of God, in his life review aka judgment day the Bible spoke of, Mr. Cassell someday after being elderly and naturally passing on to the spiritual realm, HE will be shown visions of me and will experience feeling my pain, suffering, and misery he had caused me. If you ever want to read a good spiritual book, it is called **"Embraced by the Light" by Betty Eadie**. She explained that when she faced her life review, and I think she met Jesus Christ as well, that every pain or suffering she caused, she had to experience that pain and suffering she caused another, the very pain and suffering she caused another person. Some day, Mr. Cassell will face God, will face Judgment Day, his life review after he lives a long healthy life, and he will feel my pain, my misery, my suffering, and he will feel the years of anguish and torment that Mr. Cassell had caused me. The lawyer will also feel my pain, suffering, and misery as God will give everybody a life review process. GOD'S COURT, GOD'S JUSTICE SYSTEM. **Mr. Cassell can get away with hurting me and my family in man's Court of Law**, but **he cannot get away with this in God's Court of Law**. He will feel my pain, my emotions, my suffering and will look at my face and body as I am naked with cuts on my body, carbon monoxide poisoning shown on my face, and me being arrested with handcuffs. God will show Mr. Cassell these visions and he will have to experience the pain that he caused me and Roberta Hill. He will see visions of Roberta Hill crying, almost killed herself and she told me that she almost killed herself when she saw that I was being arrested for indecent exposure. So Mr. Cassell will feel the pain of my mother almost killing herself in 2018, the pain of her body deteriorating, her suffering and her misery. Mr. Cassell will feel all of that someday as God shows him the wrongs and rights he has done with his life on this planet. Someday he will feel the pain of me, Roberta Hill, and pain of everybody he harmed and hurt. I have no need to do anything to Mr. Cassell, I am letting God and Jesus Christ deal with Mr. Cassell. Mr. Cassell, I am asking my lawyer Jesus Christ, Jesus is my lawyer and I have asked Jesus to hold you accountable someday in God's Court of Law of the Universe, Court of Heaven, whatever you wish to call it, and Jesus will prosecute you someday for what you have done to me.

My only interest throughout all of this is getting my life back, I want to be acquitted. Money doesn't matter to me when I can be free of my wrongful conviction. Please do the right thing JaCody Cassell. I pray to God that you will do what is right, do the right thing. **Though shall not bear false witness, one of God's Ten Commandments.**

Case #: CR19000009-00, Martinsville Circuit Court. Virginia.

Hon. Ashby Pritchett, Clerk of the Court: APritchett@vacourts.gov and APritchett@courts.state.va.us
Commonwealth Attorney Glen Andrew Hall, Esq.: ahall@ci.martinsville.va.us.
City of Martinsville, Commonwealth of Virginia v. Brian David Hill.

Thank You. Respectfully filed with the Aaron Ziglar, this the 7th day of July, 2022.



God bless you,
Brian D. Hill
Ally of Q, Former news reporter of U.S.W.G.O. Alternative News
310 Forest Street, Apartment 2
Martinsville, Virginia 24112
(276) 790-3505

U.S.W.G.O.

JusticeForUSWGO.NL or JusticeForUSWGO.wordpress.com

Subject: Re: 953850 Mr. Brian D. Hill VS The Chimney Sweep 2
From: Roberta Hill <rbhill67@comcast.net>
Date: 7/7/2022, 11:43 PM
To: "Ziglar, Aaron M." <AZiglar@oag.state.va.us>, "eferguson@fergusonlaw.net" <eferguson@fergusonlaw.net>
CC: Ken & Stella Forinash <kenstella@comcast.net>, "kenstella2005@comcast.net" <kenstella2005@comcast.net>, "stanleybolten@justiceforuswgo.nl" <StanleyBolten@justiceforuswgo.nl>, "ltgov@ltgov.virginia.gov" <ltgov@ltgov.virginia.gov>, "LtGovernorJeanette.Nunez@eog.myflorida.com" <LtGovernorJeanette.Nunez@eog.myflorida.com>, "jacqueline.tran@ltgov.virginia.gov" <jacqueline.tran@ltgov.virginia.gov>, "ltgov@ltgov.virginia.gov" <ltgov@ltgov.virginia.gov>

Aaron Ziglar,

I have had to file a complaint against TRUIST Bank, Martinsville Branch. Because I am being refused access to my electronic bank statements from October, 2017. My son typed up his testimony. It is in the complaint file.

Brian has advised me of possibly filing a lawsuit against my bank but he is In Forma Pauperis. If I do, it will cost me a lot of money, money I do not have for legal. If I don't sue my bank, Mr. Eric Ferguson will call us all liars, and lying to the Office of the Attorney General that that The Chimney Sweep was never paid $300. They were paid $300. Brian may try to ask a Federal Judge soon to subpoena TRUIST bank for the proof that The Chimney Sweep was paid $300. My son advised me to file a complaint with the State Corporation Commission. The only resolution I am seeking from my former bank of SUnTrust, now TRUIST, is my bank account records proving that The Chimney Sweep was paid $300 from my bank account. TRUIST is trying to fight me on getting those records by demanding that I indefinitely pay $25 an hour for them to search for an easy to find electronic record from my closed bank account.

I and my son went to TRUIST bank in Martinsville, we walked in and asked

I never closed my bank account from SunTrust in 2021 as it was not my fault, my bank account was migrated against my will to First Horizon Bank in Martinsville, Virginia. It is not my fault that I lost access to my SunTrust account. The attorney Eric Ferguson could subpoena TRUIST for those records but they will not because it will prove CaCody Cassell as a liar, and his lawyer will not do that to his own client. See the conflict of justice here, and I will not sit there and pay an indefinite sum of $25 per hour with no cap on the fees, and they could take weeks, months and then they can just claim they can't find the bank account with me owing hundreds to thousands of dollars to TRUIST. I will not risk paying indefinite sums of money just to get a pdf electronic record (which is cheaply stored and can be easily found within less than a hour) to disprove Attorney Eric Ferguson and disprove liar JaCody Cassell who hired this attorney to try to dismiss my son's complaint.

I still have the photograph on record with the check stub paying $300 to The Chimney Sweep. That check stub is somewhere, but at least I and Stella Forinash have the check stub.

Brian may write a litigation hold letter requesting that the bank not destroy my closed bank account records in case of any lawsuits or anything being pulled to try to discredit my son trying to prove his innocence to his charge of indecent exposure.

My son is already making a large stockpile of communications documents of over 350 pages to submit to the Circuit Court. He will advise them that Mr. Cassell refuses to be a witness and will never admit to placing metal tin on the chimney. Pete Compton has agreed to be a witness in 2019, so we can still compel him to testify as to the carbon monoxide gas in the home, but that alone will not prove long term Carbon Monoxide gas exposure. Mr. Cassell as witness is another dead end, he will never admit in a court of law to what he had done. Jesus Christ will hold JaCody Cassell accountable for my son's suffering and his erroneous indecent exposure charge on September 21, 2018 and wrongful conviction. Only Jesus Christ can hold The Chimney Sweep accountable. Man's justice is too corrupt, the courts are too corrupt. Nobody will let my son prove his innocence. They don't want my son to be acquitted, the lawyers are corrupt and do not want my son to be found innocent. The judges do not want my son to be acquitted and found factually innocent.

My complaint was filed with the State Corporation Commission and Brian's witness letter dated July 7, 2022 was uploaded with the FDIC in two open cases to TRUIST. Hopefully we can push TRUIST for neutral terms and conditions where we will not agree to pay an indefinite $25 per hour for god knows how many hours they will waste wearing those face masks covering their mouths making them not think very clearly, which will push my fees for my bank account records into the hundreds of dollars, possibly thousands. I do not agree to the terms of TRUIST to charge me $25 per hour with no end in sight, and no cap as to the research costs.

Thanks,
Roberta Hill

On 7/7/2022 3:54 AM, ROBERTA HILL wrote:

> Aaron Ziglar,
>
> My son is wanting me to email you this letter, he already faxed this to both offices.
>
> We are still waiting on the bank records. Brian and me will be heading to TRUIST branch bank in our local area to see if this will get the records more quickly or make sure that the process is started.
>
> Brian wants this bank account records to be his final evidence on record in both the Attorney General Office, with Aaron Ziglar, and with the office of Eric Ferguson. Brian asks for this attorney to wait for the bank records. Once they are filed, Brian will give JaCody Cassell one more chance to admit to what he done, before he files the evidence of lying to the Circuit Court in his bid for a new trial by jury or judgment of acquittal, then they will turn it over to the Federal Court in my son's petition for a writ of habeas corpus asking for vacatur of state conviction.
>
> While we wait, my son has typed up this faxed letter. He wants this final evidence before he plans to dismiss his complaint and let the Feds handle this situation in his writ of habeas corpus request.
>
> Once the bank records are obtained, if they do further prove that Mr. Cassell had lied as we feel those records will further prove this, Cassell will be given one more chance to do the right thing and admit to what he had done.
>
> My son is turning this over to Jesus Christ and God to prosecute Mr. Cassell on judgment day in the Court of God, in the Court of Heaven when that day finally comes. Jesus knows all, sees all,

and Jesus knows that Brian is not lying about this. Jesus knows who placed the metal tin on our chimney at our Triplex. If JaCody did not place the metal tin, then he has nothing to worry about. If he did then God will show him what he did to Brian.

We all have a life review, spiritually, and when he faces his own life review someday, JaCody Cassell will experience the feeling of the pain he caused us both. The pain and misery, the suicidal thoughts, he will feel all of that pain and emotional trauma. He will feel all of it. He will feel our pain which he caused. I believe he had caused the carbon monoxide gas for almost a year for Brian, over a year for me. Cassell will spiritually experience the pain he caused us. If you ever read spiritual and scientific studies about out of body experiences, a spiritual world does exist whether your a atheist or not. God does exist. We are all judged for our acts, whether it is technically illegal or legal. https://www.embracedbythelight.com/

Brian will give this issue to God to prosecute JaCody for the damage and emotional trauma he had caused, the wrongful conviction caused by the carbon monoxide. Brian will ask a federal judge to undo his state conviction.

Thanks,
Roberta Hill

On 7/6/2022 9:56 AM, Ziglar, Aaron M. wrote:

> Dear Mr. Hill,
>
> Thank you for authorizing the Virginia Attorney General's Office to assist in the resolution of your dispute. Our Office has received the below written response from the business to your complaint. Please review it carefully and, if you would like to provide a response, please do so in writing within ten (10) business days from the date of this email.
>
> In the event I fail to hear from you in writing within ten business days, the complaint will be closed and no further action will be taken.
>
> This Office will retain the complaint form and copies of all official correspondence regarding the complaint in accordance with the applicable state retention schedule. Under the Virginia Freedom of Information Act, please be advised that these materials will be available to the public for review, upon request.
>
> If you have any additional information or need further assistance, please feel free to contact me or respond to this message.
>
> Sincerely,

Office of the Attorney General

Aaron M. Ziglar | Dispute Resolution Specialist
Office of the Attorney General
202 North 9th Street
Richmond, Virginia 23219
O: (804) 786-1244 | M: | F:
AZiglar@oag.state.va.us
https://www.oag.state.va.us

From: Eric Ferguson <eferguson@fergusonlaw.net>
Sent: Tuesday, July 5, 2022 10:54 AM
To: Ziglar, Aaron M. <AZiglar@oag.state.va.us>
Subject: Re: 953850 Mr. Brian D. Hill VS The Chimney Sweep 2

Mr. Ziglar--I have reviewed all of these emails and Ms. Hill has been sending them to me regularly. I want to make this clear--neither my client nor myself are trying to do anything to Mr. Hill. We know nothing about what he has been through and it sounds like a lot. We are not trying to prevent him from being successful in his efforts. We are not trying to hurt his efforts. My client is trying to be as honest as he can be in this complaint. My client does not remember doing any work for the Hills in 2017 or ever. He does not believe that he has done any work for them. He has no records of ever providing estimates or doing any work for them.

I have reviewed the medical records provided with the complaint. I do not see where any medical personnel has made any diagnosis of carbon monoxide poisoning involving Mr. Hill. I tried to go over those records carefully and I do not think that I missed anything. If I did, I apologize for missing it.

I understand that Mr. Hill is trying to clear his name and I appreciate his efforts. However, my client cannot accept responsibility for something he does not recall. I cannot and will not debate Mr. Hill's medical conditions. I will leave that to him and his doctors. What they prove or show is also between him, his doctors and the courts.

I can only reiterate that my client does not recall, and has no records of, ever doing any work for the Hills.

Eric H. Ferguson, Esq.

RHODES & FERGUSON ATTORNEYS AT LAW

305 S. Main Street

Rocky Mount, VA 24151

540-483-5234 (phone)

540-483-5763 (fax)

eferguson@fergusonlaw.net

PLEASE NOTE NEW EMAIL ADDRESS

Attachments:

Complaint against TRUIST Bank in Martinsville 7-7-2022 w_attachments(2).pdf 1.4 MB

Virginia Bureau of Financial Institutions

Mailing Address:
Post Office Box 640
Richmond, VA 23218-0640

Telephone: (804) 371-9657
Fax: (804) 371-9416
Web: www.scc.virginia.gov/bfi

Physical Address:
1300 East Main Street, Suite 800, Richmond, VA 23219

PRINT OR TYPE all information in INK only. Keep a copy for your records.

Return the completed form to the Bureau of Financial Institutions at the address shown above.

PLEASE READ CAREFULLY. We are best able to assist you with your complaint if you do the following:

Answer all questions in their entirety, giving full name, titles, addresses and phone numbers. A summary of the facts surrounding the complaint and a statement of the desired resolution is necessary. Your signature is required for the Bureau to process your complaint.

Attach copies of any letters, documents, contracts or receipts pertinent to your complaint. (PLEASE DO NOT SEND ORIGINALS). Mail or fax your complaint to the address indicated on the complaint form.

Because of the complexity of some complaints, delays in processing do occur. We will make every effort to respond expeditiously to your complaint.

Our authority is limited to those entities and individuals who are, or are required to be, chartered, licensed, registered, or otherwise subject to regulation or supervision by the State Corporation Commission.

Name of Company: TRUIST Bank / SunTrust Bank		Today's Date: 7/7/2022
Company Address: 238 E Church St	City, State, Zip Code: Martinsville VA 24112	
Name of person(s) you dealt with: A teller at the Martinsville Branch		Telephone No. ( ) -
Your Full Name: Roberta R. Hill		Daytime Telephone No. ( ) -
Your Address: 310 Forest Street, APT. 1	City, State, Zip Code: Martinsville, VA 24112	
Is your complaint currently the subject of pending litigation? ☐ Yes ■ No	Have you consulted legal counsel? ☐ Yes ■ No	Account/Loan No. 1000155990541

Type of complaint: ■ Checking Account ☐ Credit Card ☐ Consumer Loan ☐ Short Term Loan ☐ Credit Counseling ☐ Mortgage Loan ☐ Motor Vehicle Title Loan ☐ Student Loan ☐ Debt Settlement ☐ Other

Details of complaint (use continuation sheet if additional space is needed)

TRUIST is refusing to give me my electronic bank statement from October, 2017 despite me being entitled to it by an email from onlinestatements@suntrust.com, dated October 17, 2017. They will not give us an easy to produce cheaply (on their end) a pdf copy of a bank statement from my closed bank account (closed by their fault due to forced merger of banks) unless I pay an indefinite sum of $25 per hour and they give no guarantee they will find the record. Federal Law requires them to keep the bank records and check records for at least 5 years. The bank record and check record has to be retained until October, 2022.
I need this record before it may be destroyed, otherwise I will need to file a litigation hold letter asking TRUIST / SunTrust not to destroy those records because I may be sued by The Chimney Sweep with their lawyer Eric Ferguson arguing or asserting that I never paid $300 to The Chimney Sweep but my bank account record from October 2017 would prove that. I cannot get this record because TRUIST is refusing to give me the bank account record. None of this is my fault. I didn't close my account, they merged by bank account to First Horizon against my will. I should not pay $25 for my account being closed due to a forced bank merger. I am a customer, I shouldn't be treated like this when I am entitled to my own bank statements. They forced my bank statements to be electronic then they refuse to give me access to them in 2022.
SunTrust was merged into TRUIST. My bank account was forcefully merged with First Horizon Bank and they refuse to give me my October, 2017 bank statement I am entitled to. Check record of my check paid to The Chimney Sweep, I am entitled to those records. My bank emailed me about my bank statements. I am entitled to those records, they emailed me about accessing those records but they won't let me get my own records.

What resolution are you seeking? How would you like your complaint resolved?

That TRUIST honor their email in October, 2017, giving me access to my online bank account statement and check record without charging me indefinitely for their employees to be taking as much time as they want to look for a record they entitled me access to. See the email from onlinestatements@suntrust.com, dated October 17, 2017. They have no disclaimer in that email saying they can take away my access to my own bank statement within the 5 year bank record retention period. The email clearly says I can get access to my online bank statement and doesn't charge me for it and doesn't say so in that email. I am seeking my bank record, and check record dated 2017. See attached letter. I just want my bank statements and check record.

I authorize the Bureau of Financial Institutions to send a copy of this complaint, together with supporting documents, to the company against which the complaint is filed, other regulated entities, or the appropriate state or federal agency. I also authorize the company to release all records relating to this complaint to the Bureau of Financial Institutions, and I authorize the Bureau of Financial Institutions to release records relating to this complaint to the company. I also agree that by signing this form I authorize the Bureau of Financial Institutions to obtain any information required to evaluate my complaint. **Your signature is required for the Bureau to process your complaint.**

Signature of complainant	Date signed
Roberta Hill	7/7/2022

Print or type name
Roberta R. Hill

LETTER TO FDIC AND TRUIST ON BEING BLOCKED FROM OBTAINING BANK ACCOUNT RECORD AND CHECK RECORD

RE: Cases number: 01420098, 01419660; In the FDIC

THURSDAY, JULY 7, 2022

ATTN: Truist Bank 214 N Tryon St Charlotte, NC 28202	**ATTN: Federal Deposit Insurance Corporation** 550 17th Street, N.W. Washington, D.C. 20429

To Whom it may Concern,

I would like to bring out my testimony of what had happened whenever me and Roberta Hill went to the Martinsville Branch of the TRUIST Bank located at 238 E Church St, Martinsville VA 24112. This was around approximately 3:30 PM, today.

We gave them a photocopy of the check stub of $300 paid to "The Chimney Sweep" dated Oct. 5, 2017. Roberta Hill gave them her one of her last paper bank statement of her bank account which was dated in 2013 before they forced their customers onto online bank statements where the bank doesn't actually give their customers bank statements in pdf format but require you to login on your bank account, but if your account is closed or failed then you cannot access your own bank statements they claim to give you and that your entitled to.

At first the bank teller there, a woman but cannot recall her name, she was trying to lookup the information and then what appeared to be a supervisor showed up and stopped her from looking up the bank account. They refused to let us have a bank statement or photocopy of check paid to The Chimney Sweep. We explained to them that our SunTrust bank forced us into First Horizon Bank and forcefully migrated our accounts into First Horizon and only had account records from 2021 on up. They were unsympathetic and told us that we would indefinitely have to pay $25 per hour for an indefinite period to research finding the bank statements and check paid to The Chimney Sweep. They refused to give Roberta Hill her electronic bank statement and photocopy of the check paid for to The Chimney Sweep unless we pay with loads of money we do not have. Just to prove that The Chimney Sweep was lying about her not paying $300 to

them, just to prove that their lawyer Eric Ferguson lied.

I may have to file a lawsuit against TRUIST or against The Chimney Sweep to open up a civil case to subpoena TRUIST Bank for the bank account record. I may have to file some kind of lawsuit to get subpoena power to prove that The Chimney Sweep lied. I don't know what else to do. They didn't say it was a guarantee they will find the bank account record and check record. That means TRUIST is breaking the law under the Bank Secrecy Act. They have retain these check records for at least 5 years. They should have that record until October 5, 2022 and they had this record electronically with Roberta Hill. We have proof of this by printed email sent to rbhill67@yahoo.com.

Roberta Hill was entitled to her own electronic bank statements but they forced it to be electronically and refused to give her the electronic bank statement they were supposed to be giving her. They said in email she can have it but are refusing at TRUIST after SunTrust got bought up by TRUIST. This isn't right. We will probably sue TRUIST for the bank records if we cannot get them, I will ask Roberta Hill to give them one star ratings on every review website that exists. Fille a BBB complaint against them. These are electronic bank statements and they refused to give Roberta Hill even her own electronic bank statements despite the email to her in October, 2017 from SunTrust bank.

I am angry at Eric Ferguson for lying and angry at JaCody Cassell for lying and forcing me to possibly have to pay $25 per hour indefinitely and they will take their sweet little time to look for an electronic bank statement which Roberta Hill was entitled to. Just to prove that Eric Ferguson was lying and JaCody Cassell was lying.

I am sick of this. Somebody needs to give us these damn Bank records so that I can prove that Eric Ferguson was lying and JaCody Cassell from The Chimney Sweep was lying.

Attachments of what pages were given to TRUIST to review over and what was faxed (4 pages were faxed) and they refuse to give Roberta Hill her own closed bank account statements despite there being an existence of those electronic bank statements. Also an attachment of an email printed by Roberta Hill with her bank account statement being ready but she has to login to her account but her account was closed so she cannot get access to her own bank statement which she is entitled to.

Attachments:

(1) 4 pages of what was faxed to TRUIST Bank at Martinsville branch and Ridgeway Branch. 2 pages were given to the teller to look at. One was the 2013 bank statement in paper format and the other pages was a photograph of the check stub to The Chimney Sweep. Includes two transmission tickets.
(2) Email printout of email from SunTrust with Roberta Hill's bank statement for October, 2017.



God bless you,
Brian D. Hill
Ally of Q, Former news reporter of U.S.W.G.O. Alternative News
310 Forest Street, Apartment 2
Martinsville, Virginia 24112
(276) 790-3505

U.S.W.G.O.

JusticeForUSWGO.NL or JusticeForUSWGO.wordpress.com

REQUEST FOR TRANSACTION RECORD
FROM MY BANK ACCOUNT IN OCT., 2017

Attn: URGENT Request, requesting October 2017, my bank account records

TO: SunTrust Bank / TRUIST
45 Powder Creek Ln
Rocky Mount, Virginia 24151
FAX: (540) 483-0978

July 6, 2022

To Whom it may Concern,

I am Roberta R. Hill. I had an account with SunTrust bank since 2013 until my bank in Martinsville was bought up by First Horizon Bank and account was migrated to First Horizon.

I would like to request a copy of my own bank account record of a transaction on October 5, 2017, to The Chimney Sweep and whether that money was taken out of my account. Between the dates October 4, 2017 (just to be safe) and October 10, 2017, or just the transaction records of paying $300 to The Chimney Sweep.

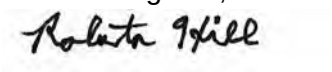
My Account Number was: 1000155990541. I am Roberta Ruth Hill.

My current address is below, my address prior to my current residence was 916 Chalmers Street, APT. B, Martinsville VA 24112-4939.

I can verify that I was the account owner at that time that I paid $300 to The Chimney Sweep. I would like to request my account transaction of when I paid by check on October 5, 2017 and when the money was transferred out of my bank account to pay the check that I signed and gave to The Chimney Sweep. I am attaching a photograph of the check stub.

Please give me a bank statement or transaction record proving that I paid $300 by check and when my check was processed where my money left my bank account in October, 2017.

Warm regards,



Roberta Ruth Hill
310 Forest Street, Apt. 1
Martinsville, Virginia 24112
(276) 790-3505

REQUEST FOR TRANSACTION RECORD
FROM MY BANK ACCOUNT IN OCT., 2017

~~Attn: QWR/NOE/RFI - PO Box 26527~~
~~Richmond, VA 23261-6527~~

TO: SunTrust Bank / TRUIST
303 Peachtreet Street, Northeast
Atlanta, Georgia 30308
FAX: 1-847-676-5150

214 N. Tryon St., Charlotte, NC 28202-1038

June 29, 2022

To Whom it may Concern,

I am Roberta R. Hill. I had an account with SunTrust bank since 2013 until my bank in Martinsville was bought up by First Horizon Bank and account was migrated to First Horizon.

I would like to request a copy of my own bank account record of a transaction on October 5, 2017, to The Chimney Sweep and whether that money was taken out of my account. Between the dates October 4, 2017 (just to be safe) and October 10, 2017, or just the transaction records of paying $300 to The Chimney Sweep.

My Account Number was: 1000155990541. I am Roberta Ruth Hill.

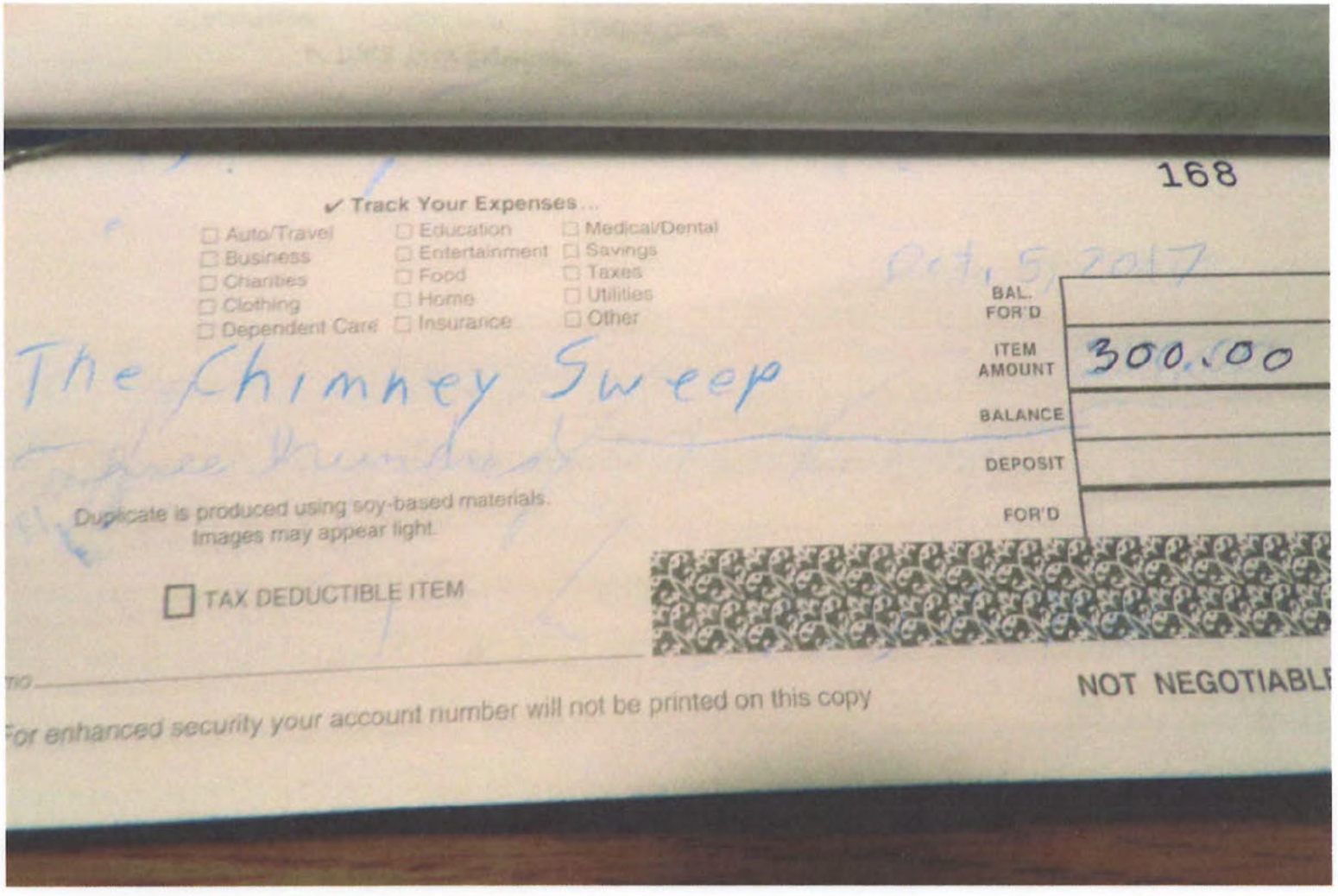
My current address is below, my address prior to my current residence was 916 Chalmers Street, APT. B, Martinsville VA 24112-4939.

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Warm regards,
Roberta Hill

Roberta Ruth Hill
310 Forest Street, Apt. 1
Martinsville, Virginia 24112
(276) 790-3505


168
✓ Track Your Expenses...
☐ Auto/Travel
☐ Business
☐ Charities
☐ Clothing
☐ Dependent Care
☐ Education
☐ Entertainment
☐ Food
☐ Home
☐ Insurance
☐ Medical/Dental
☐ Savings
☐ Taxes
☐ Utilities
☐ Other
Oct. 5, 2017
The Chimney Sweep
Three Hundred
BAL. FOR'D
ITEM AMOUNT
300.00
BALANCE
DEPOSIT
FOR'D
Duplicate is produced using soy-based materials.
Images may appear light.
☐ TAX DEDUCTIBLE ITEM
NO
For enhanced security your account number will not be printed on this copy
NOT NEGOTIABLE

SUNTRUST BANK
P O BOX 622227
ORLANDO FL 32862-2227

63/B11/0175/0 /74
1000155990541
05/20/2013
0000

SUNTRUST

Account Statement

ROBERTA R HILL
916 CHALMERS ST APT B
MARTINSVILLE VA 24112-4939

Questions? Please call
1-800-786-8787

HOW CAN WE HELP YOU MAKE THE RIGHT FINANCIAL CHOICES FOR TODAY AND TOMORROW?
WITH OUR VARIETY OF SOLUTIONS AND FINANCIAL GUIDANCE.
WE VALUE YOU AS A CLIENT AND WANT TO HELP YOU BANK THE WAY THAT FITS YOUR LIFE.
LEARN MORE AT SUNTRUST.COM.

Account Summary

Account Type	Account Number	Statement Period
EVERYDAY CHECKING	1000155990541	04/19/2013 - 05/20/2013

Description	Amount	Description	Amount
Beginning Balance	$3,020.96	Average Balance	$3,164.22
Deposits/Credits	$527.83	Average Collected Balance	$3,148.59
Checks	$.00	Number of Days in Statement Period	32
Withdrawals/Debits	$.00		
Ending Balance	$3,548.79		

Deposits/ Credits

Date	Amount	Description
04/30	27.83	*ELECTRONIC/ACH CREDIT* ON DEMAND 382265 Misc. Paym 39620611D
05/13	500.00	DEPOSIT

Deposits/Credits: 2 Total Items Deposited: 1

Balance Activity History

Date	Balance	Collected Balance	Date	Balance	Collected Balance
04/19	3,020.96	3,020.96	05/13	3,548.79	3,048.79
04/30	3,048.79	3,048.79	05/14	3,548.79	3,548.79

Venta Fax & Voice (http://www.ventafax.com)
Transmission ticket for Fax ID: 276-790-3505

Date: 7/6/2022 Time: 7:20:22 PM
Number of pages: 4 Session duration: 11:15
Attn.: TRUIST Bank To: TRUIST Bank
Recipient's number: T1276-666-3312 Message type: Fax
Filename: C:\ProgramData\Venta\VentaFax & Voice 6\Out\Letter to TRUIST in Roc Error Correction: Yesopy of transaction record(3) incl_a {2022-07-06}.tif
File description: Letter to TRUIST in Rocky Mount requesting copy of transaction Resolution: 200*200 dpi
Recipient's Fax ID: 2766663312 Record number: 8483
Rate: 9600 bps

REQUEST FOR TRANSACTION RECORD
FROM MY BANK ACCOUNT IN OCT., 2017

Attn: URGENT Request, requesting October 2017, my bank account records

TO: SunTrust Bank / TRUIST
45 Powder Creek Ln
Rocky Mount, Virginia 24151
FAX: (540) 483-0978

July 6, 2022

To Whom it may Concern,

I am Roberta R. Hill. I had an account with SunTrust bank since 2013 until my bank in Martinsville was bought up by First Horizon Bank and account was migrated to First Horizon.

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Warm regards,
Roberta Hill

Roberta Ruth Hill
310 Forest Street, Apt. 1
Martinsville, Virginia 24112
(276) 790-3505

Venta Fax & Voice (http://www.ventafax.com)
Transmission ticket for Fax ID: 276-790-3505

Date: 7/6/2022 Time: 7:31:31 PM
Number of pages: 4 Session duration: 7:54
Attn.: TRUIST Bank To: TRUIST Bank
Recipient's number: T1276-956-8259 Message type: Fax
Filename: C:\ProgramData\Venta\VentaFax & Voice 6\Out\Letter to TRUIST in Roc Error Correction: Yes opy of transaction record(3) incl_a {2022-07-06}.tif
File description: Letter to TRUIST in Rocky Mount requesting copy of transaction Resolution: 200*200 dpi
Recipient's Fax ID: bbt Record number: 8484
Rate: 14400 bps

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FROM MY BANK ACCOUNT IN OCT., 2017

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Warm regards,
Roberta Hill

Roberta Ruth Hill
310 Forest Street, Apt. 1
Martinsville, Virginia 24112
(276) 790-3505

Your October 2017 Checking Statement is now available to view in Online Banking

From: SunTrust Bank (onlinestatements@suntrust.com)

To: rbhill67@yahoo.com

Date: Tuesday, October 17, 2017 at 03:21 AM EDT

SunTrust

Dear SunTrust Client,

Your **October 2017 Checking** Statement for your account ending with **5503** is now available to view in Online Banking.

To view your statement,

1. Visit suntrust.com
2. Sign on to Online Banking with your user ID and password
3. Select your account
4. Click the **Statements** icon
5. Click **View** for the October 2017 statement

We appreciate your business and are committed to helping you reach your financial goals. Visit suntrust.com, call us at 800-SUNTRUST (786-8787), or stop by your local branch to learn more about our helpful products and services.

Thank you for banking with SunTrust.

Sincerely,
SunTrust Customer Care

Please add onlinestatements@suntrust.com to your address book or safe list. Please do not reply to this email. If you have questions about your account in general, email us through the Secure Message Center.

SunTrust Bank, Member FDIC. ©2017 SunTrust Banks, Inc. SunTrust is a federally registered service mark of SunTrust Banks, Inc.

SunTrust Client Commitment: SunTrust will never send unsolicited emails asking clients to provide, update or verify their personal or account information, such as passwords, Social Security numbers, personal identification numbers (PINs), credit or Check Card numbers or other confidential information. As always, SunTrust respects your privacy. To learn more, Visit SunTrust.com/privacy

This email was sent on behalf of SunTrust Customer Care, 1575 Lemon Farris Road, Cookeville, TN 38506.

LEGAL DISCLAIMER
The information transmitted is intended solely for the individual or entity to which it is addressed and may contain confidential and/or privileged material. Any review, retransmission, dissemination or other use of or taking action in reliance upon this information by persons or entities other than the intended recipient is prohibited. If you have received this email in error please contact the sender and delete the material from any computer.
By replying to this e-mail, you consent to SunTrust's monitoring activities of all communication that occurs on SunTrust's systems.
SunTrust is a federally registered service mark of SunTrust Banks, Inc.
[ST:XCL]

3262

Subject: Read: Re: 953850 Mr. Brian D. Hill VS The Chimney Sweep 2
From: "Ziglar, Aaron M." <AZiglar@oag.state.va.us>
Date: 7/11/2022, 8:11 AM
To: ROBERTA HILL <rbhill67@comcast.net>

Your message

To: Ziglar, Aaron M.
Subject: Re: 953850 Mr. Brian D. Hill VS The Chimney Sweep 2
Sent: Wednesday, July 6, 2022 11:28:47 AM (UTC-05:00) Eastern Time (US & Canada)

was read on Monday, July 11, 2022 8:11:43 AM (UTC-05:00) Eastern Time (US & Canada).

```
Final-recipient: RFC822; AZiglar@oag.state.va.us
Disposition: automatic-action/MDN-sent-automatically; displayed
X-MSExch-Correlation-Key: QUDL7eQbykikyumG5ce1tg==
Original-Message-ID: <1728542235.83680.1657121327987@connect.xfinity.com>
X-Display-Name: Ziglar, Aaron M.
```

Subject: Read: 953850 Mr. Brian D. Hill VS The Chimney Sweep 2
From: "Ziglar, Aaron M." <AZiglar@oag.state.va.us>
Date: 7/11/2022, 8:11 AM
To: ROBERTA HILL <rbhill67@comcast.net>

[Office of the Attorney General]
Aaron M. Ziglar | Dispute Resolution Specialist
Office of the Attorney General
202 North 9th Street
Richmond, Virginia 23219
O: (804) 786-1244 | M: | F:
AZiglar@oag.state.va.us<mailto:AZiglar@oag.state.va.us>
https://www.oag.state.va.us

ForwardedMessage.eml

Subject: Read: 953850 Mr. Brian D. Hill VS The Chimney Sweep 2
From: "Ziglar, Aaron M." <AZiglar@oag.state.va.us>
Date: 7/11/2022, 8:11 AM
To: ROBERTA HILL <rbhill67@comcast.net>

Attachments:

ForwardedMessage.eml	16.4 KB
winmail.dat	5.9 KB

Subject: Read: 953850 Mr. Brian D. Hill VS The Chimney Sweep 2
From: "Ziglar, Aaron M." <AZiglar@oag.state.va.us>
Date: 7/11/2022, 8:11 AM
To: ROBERTA HILL <rbhill67@comcast.net>

[Office of the Attorney General]
Aaron M. Ziglar | Dispute Resolution Specialist
Office of the Attorney General
202 North 9th Street
Richmond, Virginia 23219
O: (804) 786-1244 | M: | F:
AZiglar@oag.state.va.us<mailto:AZiglar@oag.state.va.us>
https://www.oag.state.va.us

ForwardedMessage.eml

Subject: Read: 953850 Mr. Brian D. Hill VS The Chimney Sweep 2
From: "Ziglar, Aaron M." <AZiglar@oag.state.va.us>
Date: 7/11/2022, 8:11 AM
To: ROBERTA HILL <rbhill67@comcast.net>

Attachments:

ForwardedMessage.eml	16.8 KB
winmail.dat	6.2 KB

Subject: Read: 953850 Mr. Brian D. Hill VS The Chimney Sweep 2
From: "Ziglar, Aaron M." <AZiglar@oag.state.va.us>
Date: 7/11/2022, 8:12 AM
To: ROBERTA HILL <rbhill67@comcast.net>

[Office of the Attorney General]
Aaron M. Ziglar | Dispute Resolution Specialist
Office of the Attorney General
202 North 9th Street
Richmond, Virginia 23219
O: (804) 786-1244 | M: | F:
AZiglar@oag.state.va.us<mailto:AZiglar@oag.state.va.us>
https://www.oag.state.va.us

ForwardedMessage.eml

Subject: Read: 953850 Mr. Brian D. Hill VS The Chimney Sweep 2
From: "Ziglar, Aaron M." <AZiglar@oag.state.va.us>
Date: 7/11/2022, 8:12 AM
To: ROBERTA HILL <rbhill67@comcast.net>

Attachments:

ForwardedMessage.eml	16.4 KB
winmail.dat	6.0 KB

Subject: Re: 953850 Mr. Brian D. Hill VS The Chimney Sweep
From: "Ziglar, Aaron M." <AZiglar@oag.state.va.us>
Date: 7/12/2022, 10:24 AM
To: ROBERTA HILL <rbhill67@comcast.net>

Dear Mr. Hill,
Thank you for authorizing the Virginia Attorney General's Office to assist in the resolution of your dispute. Our Office has received the below written response from the business to your complaint. Please review it carefully and, if you would like to provide a response, please do so in writing within ten (10) business days from the date of this email. In the event I fail to hear from you in writing within ten business days, the complaint will be closed and no further action will be taken.

This Office will retain the complaint form and copies of all official correspondence regarding the complaint in accordance with the applicable state retention schedule. Under the Virginia Freedom of Information Act, please be advised that these materials will be available to the public for review, upon request.

If you have any additional information or need further assistance, please feel free to contact me or respond to this message.

Sincerely,

Office of the Attorney General

Aaron M. Ziglar | Dispute Resolution Specialist
Office of the Attorney General
202 North 9th Street
Richmond, Virginia 23219
O: (804) 786-1244 | M: | F:
AZiglar@oag.state.va.us
https://www.oag.state.va.us

From: Eric Ferguson <eferguson@fergusonlaw.net>
Sent: Monday, July 11, 2022 9:51 AM
To: Ziglar, Aaron M. <AZiglar@oag.state.va.us>
Subject: Re: 953850 Mr. Brian D. Hill VS The Chimney Sweep 2

Mr. Ziglar--I have nothing new to offer to the Attorney General's Office. These continued rantings about criminal charges and mistreatment of Mr. Hill have nothing to do with this complaint. The only thing I am interested in is if The Chimney Sweep did any work for them in 2017. If they have a check, then produce it. If not, then drop this matter.

Eric H. Ferguson, Esq.

RHODES & FERGUSON ATTORNEYS AT LAW

305 S. Main Street

Rocky Mount, VA 24151

540-483-5234 (phone)

540-483-5763 (fax)

eferguson@fergusonlaw.net

PLEASE NOTE NEW EMAIL ADDRESS

Subject: Re: 953850 Mr. Brian D. Hill VS The Chimney Sweep
From: ROBERTA HILL <rbhill67@comcast.net>
Date: 7/12/2022, 12:02 PM
To: "Ziglar, Aaron M." <aziglar@oag.state.va.us>

This lawyer will not wait for the bank records.

This lawyer must be scared?

Please wait for the records.

> On Jul 12, 2022 at 10:24 AM, Ziglar, Aaron M. <aziglar@oag.state.va.us> wrote:
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PLEASE NOTE NEW EMAIL ADDRESS

Subject: Read: 953850 Mr. Brian D. Hill VS The Chimney Sweep
From: "Ziglar, Aaron M." <AZiglar@oag.state.va.us>
Date: 7/13/2022, 8:44 AM
To: ROBERTA HILL <rbhill67@comcast.net>

[Office of the Attorney General]
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ForwardedMessage.eml

Subject: Read: 953850 Mr. Brian D. Hill VS The Chimney Sweep
From: "Ziglar, Aaron M." <AZiglar@oag.state.va.us>
Date: 7/13/2022, 8:44 AM
To: ROBERTA HILL <rbhill67@comcast.net>

Attachments:

ForwardedMessage.eml	16.4 KB
winmail.dat	5.9 KB

Subject: RE: 953850 Mr. Brian D. Hill VS The Chimney Sweep
From: "Ziglar, Aaron M." <AZiglar@oag.state.va.us>
Date: 7/13/2022, 8:47 AM
To: ROBERTA HILL <rbhill67@comcast.net>

Good morning Mr./Mrs. Hill,

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From: ROBERTA HILL <rbhill67@comcast.net>
Sent: Tuesday, July 12, 2022 12:02 PM
To: Ziglar, Aaron M. <AZiglar@oag.state.va.us>
Subject: Re: 953850 Mr. Brian D. Hill VS The Chimney Sweep
Importance: High

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Subject: RE: 953850 Mr. Brian D. Hill VS The Chimney Sweep
From: ROBERTA HILL <rbhill67@comcast.net>
Date: 7/15/2022, 4:39 PM
To: "Ziglar, Aaron M." <AZiglar@oag.state.va.us>, "eferguson@fergusonlaw.net" <eferguson@fergusonlaw.net>, Kenstella <kenstella@comcast.net>, "kenstella2005@comcast.net" <kenstella2005@comcast.net>

It will take weeks according to the personal banker at TRUIST. Once I get this, I will file this and a copy with Attorney Ferguson.

Like Brian's faxed letter had said, Brian is waiting until the bank records are received and filed with you and with Mr. Ferguson, then Brian wants to give them one more chance for Mr. Cassell to admit to what he had done. Brian wants this in this case in the Attorney General's office on record, then Brian will use all correspondence including the bank record in his Federal 2254 case, Federal 2255 case, and Circuit Court criminal case to show that Mr. Cassell either will refuse to admit to what he had done even when confronted with evidence The Chimney Sweep was paid $300 and despite the telephone records, with the statement by Pete Compton of ACE Chimney company in Bassett regarding finding the metal tin on the chimney causing the carbon monoxide poisoning of my son Brian David Hill, long term exposure, and caused the poisoning of myself, Roberta Ruth Hill, in long term exposure. My son has autism and I have not been diagnosed with autism so his carbon monoxide exposure can make him behave differently than me. My son was naked, that was his effects from the carbon monoxide. The banker had already submitted my request on my behalf through the banker at TRUIST Branch Bank. Once the check record or bank record, whatever records I get back, a $300 taking money out of my bank account in October 5 or 6 or 7, 2017 (because maybe it took The Chimney Sweep one or two days to cash in the check) along with the photograph of the check stub proves that The Chimney Sweep was paid $300, and would prove the money was taken out of the account after processing of my check to them. The record of this resolution case does not have that evidence yet. It needs to be in the record of this Dispute Resolution Unit case and in the record of Attorney Eric Ferguson that $300 was paid and can be confirmed by bank record or check record or both. It was not a certified check but the check stub and the bank record or digital check photocopy record, whatever records are given to me will prove the money was paid for and that it was paid to The Chimney Sweep. If Mr. Cassell cashed the check in, his bank would have that record. So I may need to write a litigation hold letter for the Federal Court to conduct inquiry into the witness such as Cassell. The Federal Court is already aware of The Chimney Sweep somewhere in the record.

This attorney should wait for the bank records. I may write a litigation hold letter asking the bank to hold the check record of my check cashed by JaCody Cassell in October, 2017 or anybody as an agent who could have cashed the check for The Chimney Sweep. The litigation hold letter will be for the criminal case of Brian Hill. Current litigation. Doesn't have to be a lawsuit, the Feds can subpoena Mr. Cassell and if he lies to the Court that he was never contacted and never did any work or estimate, he could face perjury or contempt of court.

I think a law was broken by The Chimney Sweep because such negligence almost killed us. Carbon monoxide can kill people. That is true. Brian fell and hit his head in his office. Enough carbon monoxide can have somebody pass out, and even more can kill somebody.

The least case scenario, Brian was found naked and arrested, but worse case my son would have been dead, then I would have been angry at Mr. Cassell and never would have forgiven him for the rest of his life if my son had died from the carbon monoxide.

Thanks,
Roberta Hill

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From: ROBERTA HILL <rbhill67@comcast.net>
Sent: Tuesday, July 12, 2022 12:02 PM
To: Ziglar, Aaron M. <AZiglar@oag.state.va.us>
Subject: Re: 953850 Mr. Brian D. Hill VS The Chimney Sweep
Importance: High

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Subject: Re: 953850 Mr. Brian D. Hill VS The Chimney Sweep
From: ROBERTA HILL <rbhill67@comcast.net>
Date: 7/16/2022, 11:55 PM
To: "Ziglar, Aaron M." <AZiglar@oag.state.va.us>, "eferguson@fergusonlaw.net" <eferguson@fergusonlaw.net>, Kenstella <kenstella@comcast.net>, "kenstella2005@comcast.net" <kenstella2005@comcast.net>, "stanleybolten@justiceforuswgo.nl" <StanleyBolten@justiceforuswgo.nl>, "ltgov@ltgov.virginia.gov" <ltgov@ltgov.virginia.gov>, "jacqueline.tran@ltgov.virginia.gov" <jacqueline.tran@ltgov.virginia.gov>, "katelyn.jordan@ltgov.virginia.gov" <katelyn.jordan@ltgov.virginia.gov>, "julianne.condrey@ltgov.virginia.gov" <julianne.condrey@ltgov.virginia.gov>

Aaron Ziglar,
Re: 953850, Mr. Brian D. Hill VS The Chimney Sweep

One more thing. My son found in his older records from his computer file records from VentaFax (does not require the internet to fax and store faxes records for years and years), he did file a complaint by fax against The Chimney Sweep back in 2019 with the local Fire Marshals office asking for an investigation or inquiry into the chimney business, nobody ever contacted him back to start any investigation, nobody ever interviewed him, and nobody ever tried to locate The Chimney Sweep to investigate Brian's claims, it was all entirely ignored. However, in his faxed letter he misspelled The Chimney Sweep as "The Chimney Sweeper" but did say that they were located in Rocky Mount, VA. However, it was up to the Fire Marshals to have to contact us in 2019 to obtain the exact business address and check the information before even starting up an investigation in response to a written complaint. Dereliction of duty for a Fire Marshal to be ignoring claims of carbon monoxide poisoning and a chimney business who caused it. So Brian's evidence proves he did fight this back in 2019, closer to the date of October 5, 2017. Brian didn't know about the carbon monoxide while sitting in federal prison until we visited my son at FCI-1 Butner, NC in 2019 and there we told my son about the carbon monoxide and he asked us to investigate and research into it. He didn't have all the information but it was up to the investigators of the Fire Marshals to investigate claims that a chimney business caused carbon monoxide issues. The Fire Marshals in the city of Martinsville are corrupt by derelicting duty, dereliction of duty. Neglect of duty to protect Martinsville and Henry County citizens who face carbon monoxide poisoning. The Fire Marshals were neglectful in 2019. Neglecting to investigate a credible claim of carbon monoxide caused by installation of metal tin instead of chicken wire or a protective thing on top of the chimney. The transmission tickets are attached in this email for the record in this Dispute Resolution Unit proving transmission of faxes of the letter about the carbon monoxide. They failed and refused to investigate The Chimney Sweep in 2019 when my son was willing to prove that back then. Back when we did have SunTrust but nobody investigated anything, nobody asked us questions about any of this.

The letter regarding The Chimney Sweep carbon monoxide issues was faxed twice in September 2019 to the Fire Marshals Office for the city of Martinsville and Henry County. They never attempted to do anything about any of this. They did email me one time but simply gave some advice or something to that affect, but never sanctioned any investigation, and never asked about contacting

the exact business. Just like the lawyers, they do nothing about it. Renorda Pryor a criminal defense attorney appointed by the U.S. District Court was faxed a copy of the letter about the carbon monoxide poisoning inquiry with the Fire Marshals, and **this attorney never attempted to contact Mr. Cassell either. Nobody did anything to investigate anything.** NOW DO YOU GET IT ERIC FERGUSON!!!!!!! **The corruption is so bad in Virginia that nobody wanted to investigate the carbon monoxide, nobody wanted to criminally investigate The Chimney Sweep for anything, not even code violations.** Nobody wanted to do anything **because Brian was charged with indecent exposure so they let only the lawyers handle everything and they ignored the carbon monoxide because Brian didn't have the levels. If we had the levels and the only way we would have the levels was if we found out about the CO gas, we would have stopped the carbon monoxide immediately, removed the metal tin from the flues and Brian never would have been charged and arrested, none of that ever would have happened if we had the levels.**

The lawyer was wrong that Brian waited this long to complain about the business of Mr. Cassell. Brian has enough records to prove the lawyer wrong on multiple claims mirrored from JaCody Cassell.

The only thing left we are waiting for IS THE BANK RECORDS, MR CASSELL and ATTORNEY ERIC FERGUSON. PLEASE WAIT PATIENTLY. We have plenty of evidence to disprove the attorney's claims. The phone records and the phone number in the phone records belonging to James Cassell who was the owner of The Chimney Sweep, Brian's letter to the Fire Marshals asking for an investigation in 2019. Copy to Attorney Renorda Pryor in 2019. The request for a copy of my bank account records and/or check records along with the check stub photograph emailed to Aaron Ziglar and Eric Ferguson will prove enough against Mr. Cassell, it proves both Cassell and his attorney are liars to protect a business, not protecting their customers. They care more about protecting their business than they do about protecting their customers from any damage caused by the business. That is bad customer service in my opinion. Caring more about the reputation of a business rather than caring to make sure they don't damage and harm their customers, then deny any involvement if law enforcement is involved.

This record should be somewhere in the Fire Marshal's Office in Martinsville which serves Henry County and Martinsville. Was faxed on September 22, 2019, and September 23, 2019.

When the lawyer Eric Ferguson had claimed or argued or attempted to argue that Brian had waited so long like 5 years to file a complaint against The Chimney Sweep or his client, that wasn't truthful either. The Fire Marshals were contacted about the carbon monoxide in 2019. Brian got out of imprisonment on May 14, 2019 over the indecent exposure caused by the intoxication. Brian found out about the carbon monoxide earlier in 2019 while he was in imprisonment, it took time to gather information while sitting in prison which is almost impossible. **Eric Ferguson owes us an apology for making assumptions. You say Brian and I didn't contact Mr. Cassell directly about this issue back then, well we were afraid if we did then he would have denied it and destroyed any records back then, we had to have people investigate this so that it wouldn't trigger any possible destruction of records out of fear. If we had spoke directly with Mr Cassell in 2019, it would have panicked him and he would have denied it back then. We had to see if anybody investigated, and nobody ever did, years later, nobody ever does anything to investigate anything, just convict my son and move**

on with a criminal record, they don't care. Michael Jackson was right, they don't really care about us.

Brian did file a complaint against The Chimney Sweep aka The Chimney Sweeper (he cannot use the internet so he could not find the exact name but he did refer to the chimney sweeping business in Rocky Mount, VA asking for an investigation into Casell's business but nobody did anything about Brian's letters. **Nobody investigated anything, nobody did anything. This is not my son's fault, Mr. Ferguson, this is local corruption, police corruption, Fire Marshals corruption, lawyer corruption, judge corruption, all kinds of corruption and malfeasance and extortion and racketeering and drug money.** It is all there, crime after crime after crime, and nobody ever gets in any trouble. Hunter Biden the son of illegitimate President Joe Biden can look at as much child porn as he wants (according to the Biden Laptop and those who have looked at it as members of the media) and Ashley Biden feels like she may have been sexually abused or molested, and the FBI never arrests Hunter Biden or Joe Biden. **The real criminals never go to prison. That is corruption.** That is why we fight for my son to be acquitted even when lawyers attack us since 2014.

Wait for the check records and bank records, Eric Ferguson owes us this opportunity to obtain the final records, the financial records. My son will continue finding more and more pieces of evidence, **he will never give up until he is acquitted even if my son gets assassinated he will fight to be acquitted even if it means he is going to be targeted again**, then he walks away. **He will do whatever it takes to be acquitted. Use whatever proof he can get access to.**

God bless you, hope you all have a good day. This evidence can be overwhelming.

Thanks,
Roberta Hill

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Sent: Tuesday, July 12, 2022 12:02 PM
To: Ziglar, Aaron M. <AZiglar@oag.state.va.us>
Subject: Re: 953850 Mr. Brian D. Hill VS The Chimney Sweep
Importance: High

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Attachments:

Scan_22-09-2019_2311_2.pdf	6.1 MB
{2022-07-16} [3].pdf	147 KB
Letter to Henry Co. Fire Marshals Office(2)Signed {2019-09-22}.pdf	144 KB
Scan_13-06-2019_2359.pdf	4.1 MB

Letter to Martinsville asking for Investigation into Carbon Monoxide Poisoning

Sunday, September 22, 2019 - 10:41 PM

ATTN: To Whom it may Concern
Fire Marshal's Office
1024 DuPont Road
Martinsville, VA 24112
Phone: (276) 634-4660
Fax: (276) 634-4770

Fire Marshal's Office,

I like to request that there be an investigation into the Carbon Monoxide ("CO") gas poisoning and as to the cause of the CO gas. A business from Rocky Mount, VA known as "The Chimney Sweeper" from October, 2017 is alleged to have put metal tin on top of the chimney flues causing gas to flow freely into Apartment 1 and Apartment 2 causing costly damage to the entire apartment complex and criminal ramifications against me (Criminal charge against me in Martinsville Circuit Court case). I did not know about the Carbon Monoxide gas poisoning until February or March of this year. It takes a while for my friends and family to research who I should filing any complaints or requests with to see if anything can be done about the Carbon Monoxide gas problem since October, 2017, and to hold the business accountable for their error in judgment by blocking all three chimney flues with metal tin. The metal tin was removed in late January of this year so the source of the cause of the CO gas has been removed, but the repair costs, health issues, and legal ramifications I have suffered cannot be undone. I must hold somebody accountable for my suffering caused by the unprofessional misconduct of "The Chimney Sweeper" business.

I have the following pieces of evidence on record:

1. Abnormal Red Blood Cell count Carilion Clinic medical record dated July 31, 2018.

2. Abnormal White Blood Cell Count and Sinis Tachycardia in November, 2017 from Sovah Hospital medical record.

3. Multiple Sinus Tachycardia readings in resting blood pulse in Sovah Hospital medical record before being discharged to Martinsville City Jail, dated September 21, 2018.

4. Diagnosis of "Psychosis" by Dr. Conrad Daum (a forensic psychiatrist) of Piedmont Community Services a month after I was arrested, dated October, 2018. Psychosis is a documented condition of Carbon Monoxide gas poisoning.

5. Statement from Chimney Sweeping service expert Pete Compton from Bassett Virginia.

6. Statements of Brian David Hill in federal court filings showing mental confusion and making confusing statements.

7. Photocopies of three envelopes where correct information was entered on the envelopes except invalid city/state/zip-code which may also be a documented case of mental confusion which can be caused by CO gas poisoning if that is indeed the case.

8. Photos of white residue and moisture accumulated in the fireplaces connected to the single chimney with multiple flues. White residue outside of chimney. Photos of damage in the ceiling and wall right around the fireplace.

9. Any other relevant evidence accumulated that may point to Carbon Monoxide gas.

How much would it cost to have an investigation done to determine whether I was under Carbon Monoxide poisoning last year based on the Sinus Tachycardia, photos of white residue in fireplaces and chimney, photos of damage in the home, abnormally high Red Blood Cell count and White Blood Cell count, mental confusion, hallucinations, psychosis and delusions?

Was "The Chimney Sweeper" in violation of the fire safety codes by placing metal tin on top of the chimney flues, blocking the flues, around October, 2017? Can The Chimney Sweeper be investigated for violation of fire safety codes? Can The Chimney Sweeper lose their license for such misconduct? Can they be held accountable for creating huge enough issues in the City of Martinsville to prosecute a criminal case based on conduct caused by Carbon Monoxide poisoning and enough damage to spend thousands of dollars and all of the health ramifications (brain damage, heart problems, any other health issues) caused by what "The Chimney Sweeper" had done?

I ask that the Fire Marshals investigate "The Chimney Sweeper" for possible

violations of professional conduct and possible violations of the fire safety codes by placing metal tin on top of the chimney. If Henry County cannot investigate, I ask that my request be forwarded by fax, mail or email to the jurisdiction of the Fire Marshals for Franklin County where Rocky Mount, VA is to conduct an investigation into "The Chimney Sweeper" business for possible violation of fire safety codes and caused a lot of unnecessary legal paperwork and frustration for the Commonwealth Attorney of Martinsville, caused my wrongful arrest, caused my wrongful revocation of my federal Probation, and caused health problems which may be irreversible and caused thousands of dollars of damage to the apartment complex where I had lived and still live, and had made my home a less safer place to live last year.

I would like to receive a written response as soon as possible.

I would like business of The Chimney Sweeper to have their license revoked based upon any merit of grounds for violation of the fire codes if found during any investigation. This I pray for and request.

If any of my friends or family had emailed or mailed you evidence concerning my issues of living in a home last year with Carbon Monoxide, then you know the situation.

Thank You,

Signed, Brian D. Hill Signed

Brian D. Hill
Former U.S.W.G.O. Alternative News reporter
Phone #: 276-790-3505
Mailing Address: 310 Forest Street, Apartment 1, Martinsville, Virginia 24112

U.S.W.G.O.

QANON – DRAIN THE SWAMP
Amazon: The Frame Up of Journalist Brian D. Hill
Stanley's 2255 blog: JusticeForUSWGO.wordpress.com

Venta Fax & Voice (http://www.ventafax.com)
Transmission ticket for Fax ID: 276-790-3505

Date: 9/22/2019
Number of pages: 3
Attn.: Henry County Fire Marshals
Recipient's number: T1-276-634-4770
Filename: C:\ProgramData\Venta\VentaFax & Voice 6\Out\Letter to Henry Co. Fire
File description: Letter to Henry Co. Fire Marshals Office(2)Signed.pdf
Recipient's Fax ID:
Rate: 9600 bps

Time: 10:56:17 PM
Session duration: 4:01
To: Henry County Fire Marshals
Message type: Fax
Error Correction: Yesned {2019-09-22}.tif
Resolution: 200*200 dpi
Record number: 7932

Letter to Martinsville asking for Investigation into Carbon Monoxide Poisoning

Sunday, September 22, 2019 - 10:41 PM

ATTN: To Whom it may Concern
Fire Marshal's Office
1024 DuPont Road
Martinsville, VA 24112
Phone: (276) 634-4660
Fax: (276) 634-4770

Fire Marshal's Office,

I like to request that there be an investigation into the Carbon Monoxide ("CO") gas poisoning and as to the cause of the CO gas. A business from Rocky Mount, VA known as "The Chimney Sweeper" from October, 2017 is alleged to have put metal tin on top of the chimney flues causing gas to flow freely into Apartment 1 and Apartment 2 causing costly damage to the entire apartment complex and criminal ramifications against me (Criminal charge against me in Martinsville Circuit Court case). I did not know about the Carbon Monoxide gas poisoning until February or March of this year. It takes a while for my friends and family to research who I should filing any complaints or requests with to see if anything can be done about the Carbon Monoxide gas problem since October, 2017, and to hold the business accountable for their error in judgment by blocking all three chimney flues with metal tin. The metal tin was removed in late January of this year so the source of the cause of the CO gas has been removed, but the repair costs, health issues, and legal ramifications I have suffered cannot be undone. I must hold somebody accountable for my suffering caused by the unprofessional misconduct of "The Chimney Sweeper" business.

I have the following pieces of evidence on record:

1. Abnormal Red Blood Cell count Carilion Clinic medical record dated July 31, 2018.

2. Abnormal White Blood Cell Count and Sinis Tachycardia in November, 2017 from Sovah Hospital medical record.

3. Multiple Sinus Tachycardia readings in resting blood pulse in Sovah Hospital medical record before being discharged to Martinsville City Jail, dated September 21, 2018.

URGENT

Pages 1 of 3

RECEIPT CONFIRMATION REQUESTED

Venta Fax & Voice (http://www.ventafax.com)
Transmission ticket for Fax ID: 276-790-3505

Date: 9/22/2019 Time: 11:00:21 PM
Number of pages: 3 Session duration: 2:36
Attn.: HERRING LAW CENTER, PLLC To: Attorney Renorda Pryor
Recipient's number: T1919-355-4976 Message type: Fax
Filename: C:\ProgramData\Venta\VentaFax & Voice 6\Out\Letter to Henry Co. Fire lError Correction: Nogned {2019-09-22}.tif
File description: Letter to Henry Co. Fire Marshals Office(2)Signed.pdf Resolution: 200*200 dpi
Recipient's Fax ID: HFR Record number: 7933
Rate: 14400 bps

Letter to Martinsville asking for Investigation into Carbon Monoxide Poisoning

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URGENT Pages 1 of 3 **RECEIPT CONFIRMATION REQUESTED**

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Transmission ticket for Fax ID: 276-790-3505

Date: 9/23/2019
Number of pages: 3
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Recipient's number: T1-276-634-4770
Filename: C:\ProgramData\Venta\VentaFax & Voice 6\Out\Letter to Henry Co. Fire
File description: Letter to Henry Co. Fire Marshals Office(2)Signed.pdf
Recipient's Fax ID:
Rate: 9600 bps

Time: 2:22:00 PM
Session duration: 6:26
To: Henry County Fire Marshals
Message type: Fax
Error Correction: Yesned {2019-09-22}.tif
Resolution: 200*200 dpi
Record number: 7935

Letter to Martinsville asking for Investigation into Carbon Monoxide Poisoning

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Fax: (276) 634-4770

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Pages 1 of 3

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4. Diagnosis of "Psychosis" by Dr. Conrad Daum (a forensic psychiatrist) of Piedmont Community Services a month after I was arrested, dated October, 2018. Psychosis is a documented condition of Carbon Monoxide gas poisoning.

5. Statement from Chimney Sweeping service expert Pete Compton from Bassett Virginia.

6. Statements of Brian David Hill in federal court filings showing mental confusion and making confusing statements.

7. Photocopies of three envelopes where correct information was entered on the envelopes except invalid city/state/zip-code which may also be a documented case of mental confusion which can be caused by CO gas poisoning if that is indeed the case.

8. Photos of white residue and moisture accumulated in the fireplaces connected to the single chimney with multiple flues. White residue outside of chimney. Photos of damage in the ceiling and wall right around the fireplace.

9. Any other relevant evidence accumulated that may point to Carbon Monoxide gas.

How much would it cost to have an investigation done to determine whether I was under Carbon Monoxide poisoning last year based on the Sinus Tachycardia, photos of white residue in fireplaces and chimney, photos of damage in the home, abnormally high Red Blood Cell count and White Blood Cell count, mental confusion, hallucinations, psychosis and delusions?

Was "The Chimney Sweeper" in violation of the fire safety codes by placing metal tin on top of the chimney flues, blocking the flues, around October, 2017? Can The Chimney Sweeper be investigated for violation of fire safety codes? Can The Chimney Sweeper lose their license for such misconduct? Can they be held accountable for creating huge enough issues in the City of Martinsville to prosecute a criminal case based on conduct caused by Carbon Monoxide poisoning and enough damage to spend thousands of dollars and all of the health ramifications (brain damage, heart problems, any other health issues) caused by what "The Chimney Sweeper" had done?

I ask that the Fire Marshals investigate "The Chimney Sweeper" for possible

violations of professional conduct and possible violations of the fire safety codes by placing metal tin on top of the chimney. If Henry County cannot investigate, I ask that my request be forwarded by fax, mail or email to the jurisdiction of the Fire Marshals for Franklin County where Rocky Mount, VA is to conduct an investigation into "The Chimney Sweeper" business for possible violation of fire safety codes and caused a lot of unnecessary legal paperwork and frustration for the Commonwealth Attorney of Martinsville, caused my wrongful arrest, caused my wrongful revocation of my federal Probation, and caused health problems which may be irreversible and caused thousands of dollars of damage to the apartment complex where I had lived and still live, and had made my home a less safer place to live last year.

I would like to receive a written response as soon as possible.

I would like business of The Chimney Sweeper to have their license revoked based upon any merit of grounds for violation of the fire codes if found during any investigation. This I pray for and request.

If any of my friends or family had emailed or mailed you evidence concerning my issues of living in a home last year with Carbon Monoxide, then you know the situation.

Thank You,

Signed, Brian D. Hill Signed

Brian D. Hill
Former U.S.W.G.O. Alternative News reporter
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Mailing Address: 310 Forest Street, Apartment 1, Martinsville, Virginia 24112

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Amazon: The Frame Up of Journalist Brian D. Hill
Stanley's 2255 blog: JusticeForUSWGO.wordpress.com

To Whom This May Concern:

On January 30, 2019 I went to the house at 310 Forest St., Martinsville, Va 24112 to measure and give a price for a Chimney cover. Roberta Hill and her parents: Ken & Stella Forinash escorted me to Apt 1 to show me the fireplace which had a small amount of white residue inside, no damage to the ceiling and wall around the fireplace. They then escorted me downstairs to Apt 2 where parts of the ceiling above the fireplace had fallen and there was a lot of damage in the remaining ceiling below the hearth of the fireplace in apt 1 located above apt 2 and a lot of damage along the wall in apt 2 above and on both sides of the fireplace as well as a lot of white residue inside of the fireplace. After this, we went down another flight of stairs to the basement where the gas boiler heater and the gas hot water heater were located to show me that there would be 3 holes in the chimney.

I then went outside and got my ladder to measure the chimney. This was when I found out that all 3 holes were covered with tin. Knowing that the gas boiler heater & gas hot water heater needed to be vented at all times, I immediately removed the tin covering the hole so carbon monoxide would no longer go through the house. Ms Hill had informed me that she had called a chimney sweep in Rocky Mount, VA in October, 2017 to clean the chimney and to put screen on all holes after the family spotted birds going into their fireplace the year before. In my 25 years of doing this type of work, this was the first time I have ever seen tin covering holes where it is important to vent gas heaters. I showed the family the tin I had just removed and had them to climb my ladder to look at the chimney. We then went back in the house, and I informed them that the white residue inside both fireplaces was from the gas that had no other place to escape and informed them that they had been exposed to carbon monoxide ~~poisoning~~ GAS, but now that the tin had been removed, there should no longer be any problems. I returned to the house on February 4, 2019 and installed a stainless steel multifaceted chimney cap vented with screen on all 4 sides. EPC

Signed as a witness on this date: Kenneth R. Forinash 6-13-19

Elmer P. Compton Jr 6-13-19

Pete Compton ACE Chimney & Wildlife; Bassett, VA

Phone 276-629-4453

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Elmo P. Compton III 6-13-19

Pete Compton ACE Chimney & Wildlife; Bassett, VA

Phone 276-629-4453



Subject: Fwd: You have a new Readable Voice Mail from 276-956-[REDACTED]; Re: 953850 Mr. Brian D. Hill VS The Chimney Sweep
From: ROBERTA HILL <rbhill67@comcast.net>
Date: 7/18/2022, 4:23 AM
To: "AZiglar@oag.state.va.us" <AZiglar@oag.state.va.us>

Research request to prove $300 paid to The Chimney Sweep. Started July 8, 2022. Research may take weeks according to this source from the bank who received my letter. Almost two weeks so this record should be obtained at some point from the bank.

Once the research request for records is complete, it will not be redacted. The redaction of this email is to protect those investigating from any possible interference from anybody. I am not playing around here with protecting the potential records and witnesses and investigators. Once the research is completed, the bank records will be available. The voicemail will be available not redacted once the research is complete. Have to protect my sources while the request is being processed and not completed. Once it is completed, there is no risk of interference.

---------- Original Message ----------
From: Xfinity Voice <voicemail@xfinityvoice.com>
To: rbhill67@comcast.net
Date: 07/08/2022 11:04 AM
Subject: You have a new Readable Voice Mail from 276-956-[REDACTED]

xfinity

My Account >

Voicemail from 276-956-[REDACTED]

58 secs

Jul 08, 2022

Hey Roberta this is [REDACTED] calling from [REDACTED]. I got your fax yesterday with your request on this check from 2017 for $300 to-chimney(?) sweep. We don't have access to this information at all at this time. What I had to do was submit a research request these might take weeks. I'm just being upfront with me and I know that this is urgent but I have submitted it out for it to be researched. If you need to reach me my name is [REDACTED] and my phone number is 276-956-[REDACTED]. I do understand that you need this documentation and I have I've sent it out to the appropriate team to get it researched on your

behalf. I hope you have a great weekend thank you bye.

To see other voicemail transcripts or adjust your Xfinity Voice settings click here.

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All trademarks are the property of their respective owners.

Comcast Cable, One Comcast Center
1701 JFK Boulevard, Philadelphia, PA 19103
Attn: Email Communications

COMCAST

Subject: Read: You have a new Readable Voice Mail from 276-956-[REDACTED]; Re: 953850 Mr. Brian D. Hill VS The Chimney Sweep
From: "Ziglar, Aaron M." <AZiglar@oag.state.va.us>
Date: 7/18/2022, 2:20 PM
To: ROBERTA HILL <rbhill67@comcast.net>

Your message

To: Ziglar, Aaron M.
Subject: Fwd: You have a new Readable Voice Mail from 276-956-[REDACTED]; Re: 953850 Mr. Brian D. Hill VS The Chimney Sweep
Sent: Monday, July 18, 2022 4:23:51 AM (UTC-05:00) Eastern Time (US & Canada)

was read on Monday, July 18, 2022 2:20:33 PM (UTC-05:00) Eastern Time (US & Canada).

```
Final-recipient: RFC822; AZiglar@oag.state.va.us
Disposition: automatic-action/MDN-sent-automatically; displayed
X-MSExch-Correlation-Key: gblInjrXeUakPSN4Y1aDFg==
X-Display-Name: Ziglar, Aaron M.
```

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Date: 7/18/2022, 2:20 PM
To: ROBERTA HILL <rbhill67@comcast.net>

[Office of the Attorney General]
Aaron M. Ziglar | Dispute Resolution Specialist
Office of the Attorney General
202 North 9th Street
Richmond, Virginia 23219
O: (804) 786-1244 | M: | F:
AZiglar@oag.state.va.us<mailto:AZiglar@oag.state.va.us>
https://www.oag.state.va.us

ForwardedMessage.eml

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Attachments:

ForwardedMessage.eml	16.5 KB
winmail.dat	6.0 KB

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Attachments:

ForwardedMessage.eml	16.6 KB
winmail.dat	6.1 KB

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Date: 7/18/2022, 2:29 PM
To: "rbhill67@comcast.net" <rbhill67@comcast.net>

Good afternoon Mr. Hill,

Thank you for authorizing the Virginia Attorney General's Office to attempt to assist in the resolution of your complaint. The dispute resolution process is not a legal process – thus, there is no final decision that our Office will make. Participation is voluntary – we cannot compel either party to respond or accept the other party's offer of resolution. If a mutually agreeable resolution cannot be obtained we typically advise the complainant of other options available to pursue the complaint in court, at which point our Office is no longer involved.

Unfortunately, it does not seem the dispute resolution process is the appropriate forum to resolve your dispute with The Chimney Sweep. As a result, we are closing your complaint. Consequently, your only recourse may be to pursue this matter through the appropriate court. You may wish to consult with a private attorney to discuss your options in this matter. If you do not have an attorney, you may contact one through the Virginia Lawyer Referral Service at (804) 775-0808 or toll-free inside Virginia at 1-800-552-7977 or by visiting: www.vsb.org/vlrs/. You may also consider filing in Small Claims court. For more information about Virginia's court system, please visit www.courts.state.va.us/courts/home.html, or contact your local General District Court Clerk's office.

This Office will retain your complaint form and copies of all official correspondence regarding the complaint in accordance with the applicable state retention schedule. Under the Virginia Freedom of Information Act, please be advised that these materials will be available to the public for review, upon request.

Aaron M. Ziglar | Dispute Resolution Specialist
Office of the Attorney General
202 North 9th Street
Richmond, Virginia 23219
O: (804) 786-1244 | M: | F:
AZiglar@oag.state.va.us
https://www.oag.state.va.us

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From: ROBERTA HILL <rbhill67@comcast.net>
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To: "Ziglar, Aaron M." <AZiglar@oag.state.va.us>, "eferguson@fergusonlaw.net" <eferguson@fergusonlaw.net>
CC: "stanleybolten@justiceforuswgo.nl" <StanleyBolten@justiceforuswgo.nl>, Ken & Stella Forinash <kenstella@comcast.net>, "kenstella2005@comcast.net" <kenstella2005@comcast.net>, Lin Wood <lwood@linwoodlaw.com>, Lin Wood <lwood@fightback.law>

Aaron Ziglar and attorney Eric Ferguson,

My son Brian David Hill is filing one more letter in this case otherwise he will file a second complaint against The Chimney Sweep and may file a complaint against Aaron Ziglar (if he refuses to accept this letter with the final evidence) with the Judicial Inquiry and Review Commission to force this information on the record at the Attorney General's office, it must be on record, the bank account records. Brian will just file those in his federal and state cases to force this information to be filed on record to disprove Mr. Cassell's wall of denials. He is a difficult witness as my son has claimed in this letter. By legal definition, Jacody Cassell refuses to be a witness, so he is a difficult witness.

We have the bank records and it does have a $300 check paid on October 6, 2017, a day after the check was given to somebody working for "The Chimney Sweep". Along with the telephone numbers from the phone logs which can be verified by xFinity / Comcast. All it proves the wall of denials by Jacody Cassell will not suffice as facts in a Federal Court on an evidentiary hearing for Writs of Habeas Corpus.

My son is filing this last letter in this case. Please accept it and file it in the record.

There is also a litigation hold letter. My son will be adding Jacody Cassell in his witness lists to push for requiring Jacody Cassell to appear in federal court in North Carolina and in Roanoke or Abingdon or on Zoom, for any court ordered evidentiary hearings.

I am sorry but my son will not give up until he is properly acquitted of his state charge.

This will be his last letter in this complaint case. Since Brian w

Thanks,
Roberta Hill

On 7/18/2022 2:29 PM, Ziglar, Aaron M. wrote:

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> Thank you for authorizing the Virginia Attorney General's Office to attempt to assist in the resolution of your complaint. The dispute resolution process is not a legal process – thus, there is

no final decision that our Office will make. Participation is voluntary – we cannot compel either party to respond or accept the other party's offer of resolution. If a mutually agreeable resolution cannot be obtained we typically advise the complainant of other options available to pursue the complaint in court, at which point our Office is no longer involved.

Unfortunately, it does not seem the dispute resolution process is the appropriate forum to resolve your dispute with The Chimney Sweep. As a result, we are closing your complaint. Consequently, your only recourse may be to pursue this matter through the appropriate court. You may wish to consult with a private attorney to discuss your options in this matter. If you do not have an attorney, you may contact one through the Virginia Lawyer Referral Service at (804) 775-0808 or toll-free inside Virginia at 1-800-552-7977 or by visiting: www.vsb.org/vlrs/. You may also consider filing in Small Claims court. For more information about Virginia's court system, please visit www.courts.state.va.us/courts/home.html, or contact your local General District Court Clerk's office.

This Office will retain your complaint form and copies of all official correspondence regarding the complaint in accordance with the applicable state retention schedule. Under the Virginia Freedom of Information Act, please be advised that these materials will be available to the public for review, upon request.

Aaron M. Ziglar | Dispute Resolution Specialist
Office of the Attorney General
202 North 9th Street
Richmond, Virginia 23219
O: (804) 786-1244 | M: | F:
AZiglar@oag.state.va.us
https://www.oag.state.va.us

Attachments:

Letter to Aaron Ziglar and Eric Ferguson - July 23, 2022(3) w_evidence.pdf	11.8 MB
USWGO_20220723_165251(OCR)_Redacted.pdf	8.3 MB
Oct 5 2017 check stub.pdf	503 KB
USWGO_20220723_165737(OCR).pdf	184 KB

3301

LETTER TO OFFICE OF AARON M. ZIGLAR, ATTORNEY GENERAL, DISPUTE RESOLUTION UNIT, AND ATTORNEY ERIC FERGUSON

RE: Case number: 953850; Mr. Brian D. Hill VS The Chimney Sweep

SATURDAY, JULY 23, 2022
EDITED, FINISHED ON SUNDAY, JULY 24, 2022, 12:28 AM

ATTN: Aaron M. Ziglar Dispute Resolution Specialist Office of the Attorney General 202 North 9th Street Richmond, Virginia 23219 Phone: (804) 786-1244 FAX: (804) 225-4378 AZiglar@oag.state.va.us	**ATTN: Eric H. Ferguson, Esq.** RHODES & FERGUSON ATTORNEYS AT LAW 305 S. Main Street Rocky Mount, VA 24151 eferguson@fergusonlaw.net Phone: 540-483-5234 FAX: 540-483-5763

To JaCody Cassell through Attorney Eric Ferguson and Aaron Ziglar,

I finally have the bank statement record of Roberta Hill's bank account proving that $300 was taken out of the bank account of Roberta R. Hill, check record the exact same as the check stub photograph which is a carbon copy of the original check paid to "The Chimney Sweep" on October 5, 2017. The money was taken out of the bank account on October 6, 2017, a day after the money was paid for by paper check to The Chimney Sweep on October 5, 2017.

The rules of evidence allow a carbon copy sheet or carbon copy of the check or document to be admissible as evidence when the original record is not available, especially when the bank confirms or verifies a transaction of paying by check. Because I have enough evidence that Mr. Jacody Cassell through his private lawyer (legal counsel) Eric Ferguson had lied in making complete denials of ever doing work at 310 Forest Street, Martinsville, Virginia 24112 and never conducted an estimate for the chimney work, and thus makes Mr. Jacody Cassell a **difficult witness**. A difficult witness because he is refusing to be a witness and is refusing to admit to anything which would be favorable to the criminal defense of Brian David Hill, working on a pro se basis representing himself, pro se. Aaron Ziglar must accept this final evidence, and he must admit this in the record of the Dispute Resolution Unit, otherwise I may file

another complaint against The Chimney Sweep of them lying in response to my complaint which may be defamation or lying with complete denials to dismiss a complaint. I rather not file a second complaint to get this on record Mr. Ziglar, so Aaron Ziglar must accept this letter and the evidence attached to this letter. I may mail a copy by certified mail to his office, if I have to. He must accept this final evidence.

Mr. Cassell has one more chance to voluntarily admit to him or one of his employees placing metal tin on top of the chimney flues on October 5, 2017, sealing the flues, causing blockage of exhaust of two gas appliances in Apartment 3 and is exhausted by the flue or flues, below Apartment 2 at 310 Forest Street, Martinsville, Virginia 24112. He has one more chance to voluntarily admit to making this mistake, a human error. I will let this go if he can simply be a witness for his business causing the carbon monoxide intoxication. It is not a deserved criminal conviction to be naked in public at night on a deserted walking trail when under intoxication. Carbon monoxide poisoning along with AUTISM SPECTRUM DISORDER can cause the incident of being naked outside. News article examples of autistic children and autistic teens being found by police walking around naked outdoors and carbon monoxide can cause a regression of autistic adults to behave more like a autistic child or cause an autistic adult to exhibit behaviors normally caused by autistic children and autistic teenagers.

I have proven that $300 was paid for to the business entity known as “THE CHIMNEY SWEEP” by check on October 5, 2017, and was cashed on October 6, 2017, money left the SunTrust bank account of Roberta Hill at the time.

See the attached three pages in the following order:

1. USWGO_20220723_165251(OCR).pdf: Account Statement/summary from SUNTRUST BANK. Account of Roberta Hill. Her tax ID number is partially redacted as required under Federal Rules of Criminal and Civil Procedures. (one page)
2. USWGO_20220723_165737(OCR).pdf: Envelope received on July 23, 2022, containing the bank account statement. (one page)
3. Oct 5 2017 check stub.pdf: Photograph of the carbon copy of the original check paid $300 to “THE CHIMNEY SWEEP”. (one page)
4. Litigation hold letter to bank(s) requesting to retain evidence beyond five year financial record retention period under the Bank Secrecy Act. (five pages)

Here is the further proof I have, further disproving Mr. Cassell's complete denials.

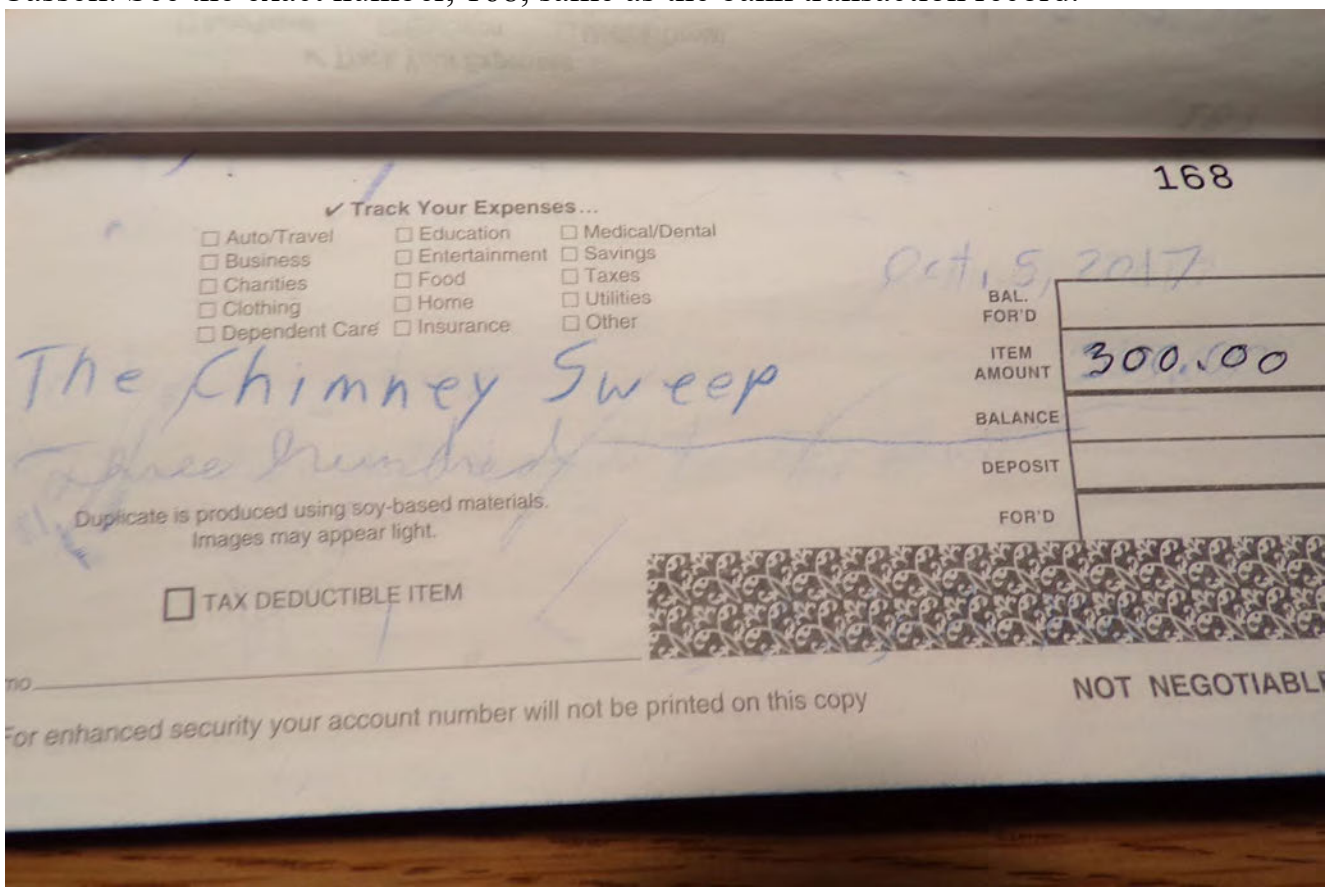
DEPOSITS/CREDITS: 11 TOTAL ITEMS DEPOSITED: 0

CHECK NUMBER	AMOUNT	DATE PAID	SR	CHECKS BATCH
167	325.00	10/10	20	75241135
168	300.00	10/06	20	78221138

CHECKS: 3

MEMBER FDIC

See the check number in bank statement of bank account Roberta Ruth Hill in October, 2017. It is 168. The exact same check number as the check stub, a carbon copy of the original check paid to The Chimney Sweep, the business owned by Mr. Jacody Cassell. See the exact number, 168, same as the bank transaction record.



The check number 168, 300.00 was paid, was paid for on 10/06 (October 6, 2017) SR is 20, and check batch number was 78221138.

$300 was paid for to The Chimney Sweep. In case the lawyer takes advantage of the 5 year check record retention period running out in October 6, 2022, this year, a LITIGATION HOLD LETTER is being filed with the Courts and with the banks.

Mr. Cassell has one more chance to voluntarily admit to his company placing metal tin on top of the chimney. It is human error and every business establishment makes human error, or caused human error. Mr. Cassell should understand this.

Aaron Ziglar, it is clear that regardless of whether Mr. Cassell wants to be a difficult witness or will admit to the human error mistake on October 5, 2017, all communications and evidence concerning the complaint and Dispute Resolution case will be filed with the Circuit Court in hundreds of pages of correspondence and letters and evidence. I will be filing a motion for a new trial based on this difficult witness of The Chimney Sweep, refusing to testify and refusing to admit to the human error caused by his own company.

So I am okay with the case being closed as I cannot force Mr. Cassell to admit to any wrongdoing as he has the Fifth Amendment right to not be a witness against himself under the U.S. Constitution but I do make one demand, that this letter and all attached evidence be filed in the foregoing Dispute Resolution case; Case number: 953850; Mr. Brian D. Hill VS The Chimney Sweep. Please Aaron Ziglar, file this last letter.

My evidence letter to Aaron Ziglar and Attorney Eric Ferguson, the letter dated July 6, 2022, addresses the evidence that Mr. Cassell's business mobile phone number (540) 483-2468 from provider U.S. CELLULAR was in contact with Roberta Hill on September 26, 2017, and October 5, 2017. The bank transaction said the check was paid on October 6, 2017, a day after the check was given to an employee of the business entity known as The Chimney Sweep. The check number in the account transaction matches the carbon copy check stub. The account number is in the record attached to this letter. Proof that The Chimney Sweep was paid $300 for what kind of work do they offer as a business? chimney services.

Regardless of what Mr. Cassell decides to do with this bank transaction record and matches the carbon copy check stub under check number 168 matches the SunTrust bank account record. The only record that we do not have yet is the digital photocopy of

the original check cashed by Mr. Cassell but the LITIGATION HOLD LETTER should cause the bank to retain such evidence for as long as necessary.

I have proven that The Chimney Sweep was paid $300 on October 6, 2017, the day after they received the check on October 5, 2017 payable to “THE CHIMNEY SWEEP” and they were contacted by phone, calls to and from The Chimney Sweep and Roberta Hill. The call logs from xFinity / Comcast prove this. It all comes together.

The attorney Eric Ferguson is wrong. Money wasn't paid for nothing, a check was paid for something. $300 was paid for something. The call log on October 5, 2017, the day before the check record was paid from the account by financial record. Can be confirmed by Eric Ferguson the attorney upon subpoena or record request.

Mr. Cassell is being a difficult witness. Witness lists in two federal habeas corpus cases and one state criminal case may be filed with his name in one of the witness list slots. He cannot weasel out of this, and I have the legal right to have him subpoenaed.

He will have to answer these questions under oath, under penalty of perjury, I will make sure he is asked under oath about the metal tin work done by an employee of The Chimney Sweep on October 5, 2017. The questions will be asked under penalty of perjury. If Mr. Cassell wishes to again deny everything like he did in his lawyer's responses July 5, 2022, June 29, 2022, it will be under oath, under penalty of perjury. He can choose not to say anything as is his right under the Fifth Amendment of the U.S. Constitution, however the questions regarding the carbon monoxide will always go unanswered with never a full explanation as to what all happened. However, if he again denies everything under oath, the financial bank record, the litigation hold letter requesting preservation of the check cashed by Jacody Cassell or one of his authorized employees or agents, the telephone records which can be verified by xFinity/Comcast, and the check carbon copy will all be used to disprove Mr. Cassell denying everything and he could face a perjury charge.

He is a witness, a difficult witness, but he cannot deny everything as there is enough evidence to prove chimney work was conducted on October 5, 2017. The denial of everything in response to the complaint makes Jacody appear suspicious, like he is hiding something, and that will make any reasonable person feel that he did make a human error on October 5, 2017 and this human error almost costed the lives of Brian Hill and Roberta Hill with carbon monoxide gas poisoning. Damaged the nerves of both of us, but I have repaired the damage with alternative medicine such as BIO-PQQ and

other supplements. I have repaired the damage to my body caused by the carbon monoxide poisoning, but the damage caused of me being wrongfully convicted must be resolved and corrected.

Jacody Cassell, you have one more opportunity to voluntarily file a witness letter with the Circuit Court for the City of Martinsville and serve rbhill67@comcast.net a copy of your witness letter. You have one more opportunity to make things right, as you have been a difficult witness but you can still come clean, tell the truth about the human error caused by your business on October 5, 2017. Please come clean about the human error and I can finally move on with my life. Simply admitting will make the truth more clear.

Case #: CR19000009-00, Martinsville Circuit Court. Virginia.

Hon. Ashby Pritchett, Clerk of the Court: APritchett@vacourts.gov and APritchett@courts.state.va.us
Commonwealth Attorney Glen Andrew Hall, Esq.: ahall@ci.martinsville.va.us.
City of Martinsville, Commonwealth of Virginia v. Brian David Hill.

This will be my last letter to Aaron Ziglar, emailed by Roberta Hill at rbhill67@comcast.net. Hopefully if the client of Eric Ferguson agrees to make a voluntary statement, I will not have to push witness lists with Jacody Cassell being a difficult witness. Not having to file hundreds of pages of correspondence.

See article: Deposition: Turning the Tables on Difficult Witnesses (and Counsel). "Due to their importance, there can be nothing more exacerbating than dealing with the antics of difficult witnesses (and opposing counsel) during the course of a deposition. So how do you stay above the fray and still get the discovery you need?"

Jacody Cassell is a difficult witness, that is a fact. He has one more chance to fix the mess his company caused on October 5, 2017. Regardless, I am done with the complaint case and am okay that it is closed. I have to file my witness list in federal court and state court.

Thank You. Respectfully filed with the Aaron Ziglar, this the 24th day of July, 2022.

Brian D. Hill
Signed
Brian D. Hill

God bless you,
Brian D. Hill
Ally of Q, Former news reporter of U.S.W.G.O. Alternative News
310 Forest Street, Apartment 2
Martinsville, Virginia 24112
(276) 790-3505

JusticeForUSWGO.NL or JusticeForUSWGO.wordpress.com

SUNTRUST BANK
PO BOX 305183
NASHVILLE TN 37230-5183

63/B11/0175/0 /74
1000155990541
10/19/2017

ACCOUNT
STATEMENT

ROBERTA R HILL
310 FOREST ST APT 1
MARTINSVILLE VA 24112-4210

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1-800-786-8787

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ACCOUNT SUMMARY

ACCOUNT TYPE	ACCOUNT NUMBER	STATEMENT PERIOD	TAXPAYER ID
EVERYDAY CHECKING	1000155990541	09/21/2017 - 10/19/2017	[redacted]-6831

DESCRIPTION	AMOUNT	DESCRIPTION	AMOUNT
BEGINNING BALANCE	$2,344.02	AVERAGE BALANCE	$2,873.13
DEPOSITS/CREDITS	$1,508.18	AVERAGE COLLECTED BALANCE	$2,873.13
CHECKS	$870.28	NUMBER OF DAYS IN STATEMENT PERIOD	29
WITHDRAWALS/DEBITS	$670.06		
ENDING BALANCE	$2,311.86		

DEPOSITS/CREDITS

DATE	AMOUNT	DESCRIPTION	SR	BATCH
09/22	712.46	ELECTRONIC/ACH CREDIT VA DMAS PAYROLLJNL RA2482754	30	64008949991
09/25	25.40	POINT OF SALE CREDIT TR DATE 09/22 REFUNDAMAZON.COM SEATTLE WA 00000101	82	
09/29	.05	ELECTRONIC/ACH CREDIT Amazon Asi935247 EDI PYMNTS OFA000100268898	30	70010329180
09/29	5.15	ELECTRONIC/ACH CREDIT Amazon Australia Services Inc.ACH/CRED /ORGAC/GB37DEUT40508128305600/Payment#: 59540504 null	30	71002000056
09/29	18.57	ELECTRONIC/ACH CREDIT AMAZON.COM935692 EDI PYMNTS OFA000100677296	30	70010328831
09/29	20.83	ELECTRONIC/ACH CREDIT AMAZON.COM935389 EDI PYMNTS OFA000100498304	30	70010328712
09/29	.11	ELECTRONIC/ACH CREDIT AMAZON MEDIA EU SARL ACH/CRED /ORGAC/GB51DEUT40508127304211/Payment#: 59391269 null	30	72003964873
09/29	.89	ELECTRONIC/ACH CREDIT AMAZON MEDIA EU SARL ACH/CRED /ORGAC/GB08DEUT40508127304209/Payment#: 59233693 null	30	72003968814
09/29	3.93	ELECTRONIC/ACH CREDIT AMAZON MEDIA EU SARL ACH/CRED /ORGAC/GB51DEUT40508127304211/Payment#: 59391790 null	30	72003965816
09/29	8.33	ELECTRONIC/ACH CREDIT AMAZON MEDIA EU SARL ACH/CRED /ORGAC/GB24DEUT40508127304212/Payment#: 60023625 null	30	72003966442
10/06	712.46	ELECTRONIC/ACH CREDIT VA DMAS PAYROLLJNL RA2496762	30	78008232944

DEPOSITS/CREDITS: 11 TOTAL ITEMS DEPOSITED: 0

CHECKS

CHECK NUMBER	AMOUNT	DATE PAID	SR	BATCH	CHECK NUMBER	AMOUNT	DATE PAID	SR	BATCH
167	325.00	10/10	20	75241135	169	245.28	10/10	20	75225054
168	300.00	10/06	20	78221138					

CHECKS: 3

MEMBER FDIC

CONTINUED ON NEXT PAGE

TRUIST

MC 306-40-06-60
P.O. BOX 85052
RICHMOND, VA 23285

RICHMOND VA 230
21 JUL 2022 PM 1 L

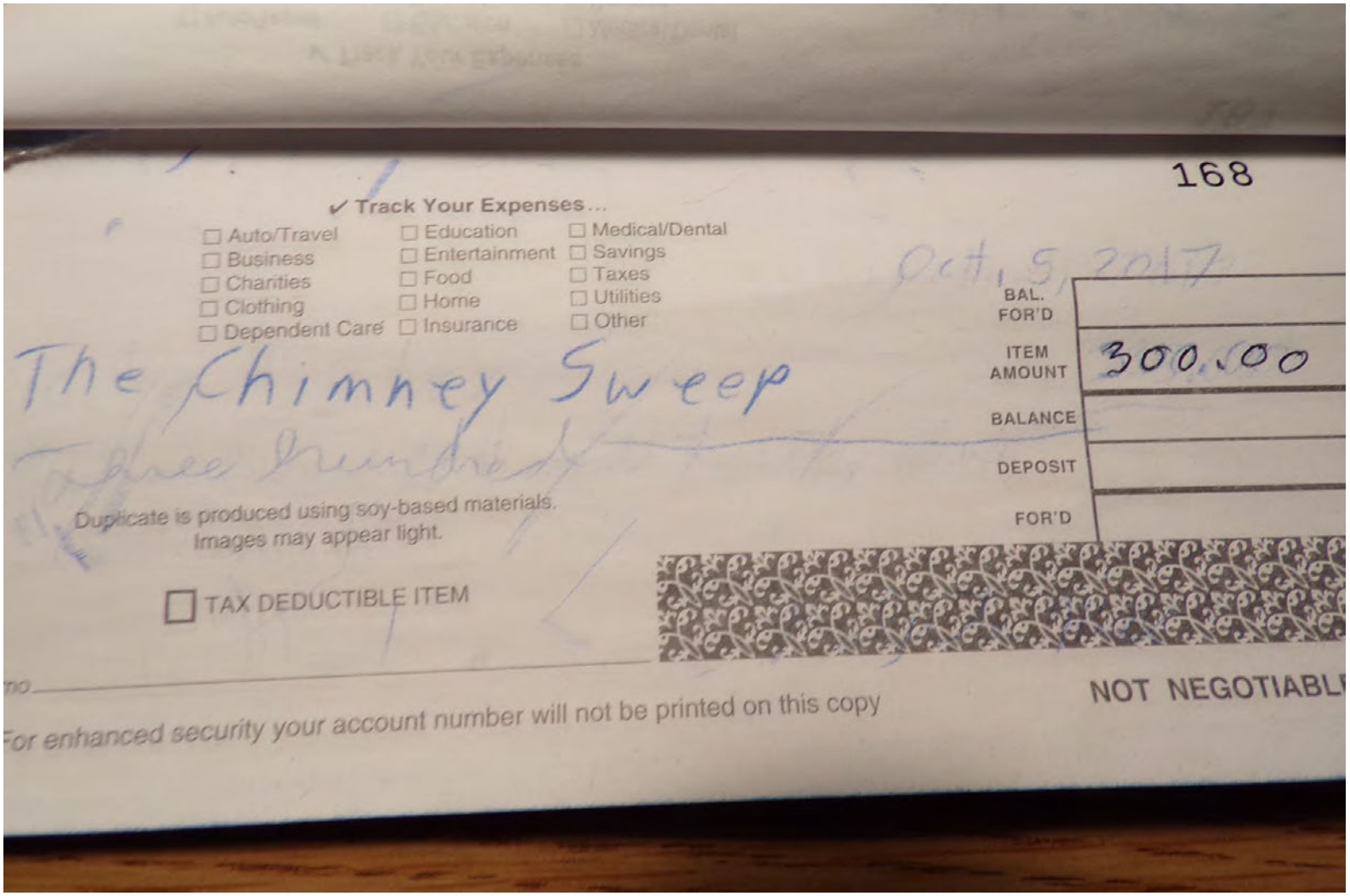
US POSTAGE PITNEY BOWES
ZIP 23224 $ 000.57⁰
02 4W
0000365842 JUL 21 2022

Received on
July 23, 2022

ROBERTA RUTH HILL
310 FOREST STREET APT. 1
MARTINSVILLE, VA 24112

24112-421010

3310



168

✓ Track Your Expenses...

☐ Auto/Travel ☐ Education ☐ Medical/Dental
☐ Business ☐ Entertainment ☐ Savings
☐ Charities ☐ Food ☐ Taxes
☐ Clothing ☐ Home ☐ Utilities
☐ Dependent Care ☐ Insurance ☐ Other

Oct, 5, 2017

The Chimney Sweep

Three hundred

BAL. FOR'D
ITEM AMOUNT 300.00
BALANCE
DEPOSIT
FOR'D

Duplicate is produced using soy-based materials.
Images may appear light.

☐ TAX DEDUCTIBLE ITEM

NO

For enhanced security your account number will not be printed on this copy

NOT NEGOTIABL

LITIGATION HOLD LETTER TO TRUIST BANK, SUNTRUST BANK, FDIC, AND ANY OTHER BANK RETAINING SPECIFIC RECORDS MATERIAL TO "THE CHIMNEY SWEEP" AND "MR. JACODY CASSELL"

(1) RE: Brian David Hill v. Commonwealth of Virginia, U.S. District Court, Western District of Virginia, case no. 7:22-cv-00336;
(2) RE: Brian David Hill v. United States of America, U.S. District Court, Middle District of North Carolina, case no. 1:22-CV-00074, 1:13-cr-435-1;
(3) RE: Commonwealth of Virginia v. Brian David Hill, Circuit Court for the City of Martinsville, Commonwealth of Virginia, case no. CR19000009-00

SATURDAY, JULY 23, 2022

ATTN: Aaron M. Ziglar Dispute Resolution Specialist Office of the Attorney General 202 North 9th Street Richmond, Virginia 23219 Phone: (804) 786-1244 FAX: (804) 225-4378 AZiglar@oag.state.va.us	**ATTN: Eric H. Ferguson, Esq.** RHODES & FERGUSON ATTORNEYS AT LAW 305 S. Main Street Rocky Mount, VA 24151 eferguson@fergusonlaw.net Phone: 540-483-5234 FAX: 540-483-5763
ATTN: Truist Bank 214 N Tryon St Charlotte, NC 28202	**ATTN: Federal Deposit Insurance Corporation** 550 17th Street, N.W. Washington, D.C. 20429
ATTN: SUNTRUST BANK PO BOX 305183 NASHVILLE, TN 37230-5183	**All Federal and State Courts listed herein**

To Whom it may Concern,

I would like to respectfully request a litigation hold of evidence and records with TRUIST Bank, SunTrust Bank, and the bank which Mr. JaCody Cassell (owner) or any authorized agent for the business named "THE CHIMNEY SWEEP" cashed in or

withdrawn from a $300 check from Roberta R. Hill, check dated October 5, 2017.

This is the business which the records would show that somebody from this company had cashed in the check or withdrawn the money from the check:

The Chimney Sweep
1590 Blue Bend Road
Rocky Mount, Virginia 24151
(540) 483-2468

This is a litigation hold letter. This letter will be filed in two federal cases and one state case. So this litigation hold letter is being filed with the banks and with the FDIC by Brian David Hill by and through Roberta R. Hill (rbhill67@comcast.net) as Petitioner Brian David Hill cannot use the internet and must use a filing representative to file and communicate electronically on behalf of Brian David Hill over this matter.

The litigation hold letter has attached a check stub record of $300 being paid for to a business entity known as “THE CHIMNEY SWEEP”, the check dated October 5, 2017, and was paid from the bank account of Roberta Ruth Hill on October 6, 2017 (when the money had left her account) at the time while under SunTrust bank, now is known as TRUIST. So the obtained record received on July 23, 2022 was given to Brian Hill by Roberta Hill as evidence. The bank should also be aware of who cashed the check in, or can forward this LITIGATION HOLD LETTER to the bank which Mr. JaCody Cassell had cashed the $300 check from Roberta Ruth Hill to pay for a service from this chimney company in Rocky Mount, Virginia. A photograph of the $300 check stub with the check number, also referenced in the bank statement of Roberta Hill's bank account, will be included as attached to this letter.

I am proceeding In Forma Pauperis in all three listed cases and cannot afford the fees for this litigation hold letter. It will be up to the U.S. Attorney Office who prosecuted me and the Commonwealth Attorney who prosecuted me to investigate the issues I have raised in this litigation hold letter, and to deal with the legal costs for retention of evidence subject to Brady v. Maryland, 373 U.S. 83 (1963); and Giglio v. United States, 405 U.S. 150 (1972).

Under the Bank Secrecy Act, all banks have to retain check records and bank records for at least five (5) years. Brian Hill, the Petitioner in two cases and criminal defendant in the Circuit court case asks the bank for retention of specific records beyond

the five year retention period of the Bank Secrecy Act until the litigation of the foregoing listed three cases (two are federal, one is state) have been resolved and disposed of under the Federal Rules of Evidence, Federal Rules of Civil and Criminal Procedures, and Rules of the Virginia Courts.

The following Brian David Hill requests such records in the bank(s) be retained, preserved, and not destroyed and not be spoliated (spoliation):

1. Photocopy of the cashed in or withdrawn check from the company: “The Chimney Sweep” for the amount of $300, check dated October 5, 2017, and cashed in on October 6, 2017 and was cashed in from any authorized agent of the company: “The Chimney Sweep” or Mr. JaCody Cassell (owner) of the company: “The Chimney Sweep”.
2. Bank statements from both Roberta Ruth Hill in October, 2017, and any account statements regarding cashing in or withdrawing money from the $300 check from any authorized agent of the company: “The Chimney Sweep” or Mr. JaCody Cassell (owner) of the company: “The Chimney Sweep”.

These records are important as this person is a difficult witness who will not cooperate with Brian David Hill requesting that he testify in his criminal case in admitting to a simple mistake which changed the life of Brian David Hill by being subject long-term to carbon monoxide poisoning in Apartment 2 of 310 Forest Street, Martinsville, Virginia 24112, from October 5, 2017, until September 20, 2018, prior to the arrest of Brian David Hill on September 21, 2018.

The records help prove that Mr. JaCody Cassell through his legal counsel Mr. Eric Ferguson had lied about never doing any chimney work and never doing any estimate to Aaron Ziglar of the Dispute Resolution Unit, a office of the Attorney General Office for the Commonwealth of Virginia. Case no. 953850. Lied about conducting no estimate and not doing any work at the residence of Roberta Hill. $300 was paid to The Chimney Sweep and retention of those records is necessary for the litigation in all three cases.

The purpose is to help prove the actual innocence of Brian David Hill for his charge of indecent exposure on September 21, 2018, in the General District Court for the City of Martinsville, appealed to the Circuit Court for the City of Martinsville. As any evidence of carbon monoxide induced intoxication is a recognized criminal defense of “intoxication” which can cause incidents such as indecent exposure. Not just proving actual innocence for the state charge, but also to help prove actual innocence in the

Federal Court in petitioning for Writ of Habeas Corpus in the Western District of Virginia by federal 2254 motion. As well as proving actual innocence to the supervised release violation charge on November 13, 2018. All three cases will need preservation of these records due to the difficulty of witness from The Chimney Sweep to ever admit to the issue of metal tin being placed on top of the chimney flues blocking the exhaust of the gas hot water heater and gas radiator below Apartment 2, the gas appliances in Apartment 3. The blocking of the exhaust of gas ventilation at the top of the chimney had caused the carbon monoxide gas poisoning and carbon monoxide gas exposure of Brian David Hill from October 5, 2017, until September 20, 2018, prior to the arrest of Brian David Hill on September 21, 2018. The type of gas which was in the issue of carbon monoxide was “natural gas”. His mental health disorders of AUTISM SPECTRUM DISORDER, a neurological disorder, had worsened with the carbon monoxide exposure, prolonged exposure, long term exposure, had caused Mr. Hill to walk around naked outside at night on a deserted walking trail for hours causing the police to arrest this innocent man for indecent exposure, the police unaware of the carbon monoxide gas. A chimney business expert known as Pete Compton of ACE Chimney & Wildlife; Bassett, VA, found the metal tin blocking the exhaust flue or flues of the chimney, and that was on January 30, 2019.

The legal reasons for why retention of those financial records and check records are necessary for this difficult witness, Mr. JaCody Cassell. He is refusing to accept responsibility and refusing to cooperate with Brian Hill's repeated requests for him to voluntarily testify and admit to or admit that one of his employees had placed the metal tin on the chimney on October 5, 2017. Denying ever doing an estimate, denying ever conducting a service. Denied everything. He is a difficult witness and such difficult witness warrants preservation of the listed records until all three litigation cases listed herein are resolved.

The three cases which the litigation hold letter is regarding preservation of evidence for three different cases listed herein:

Title of case or case style:	Case number:	Courthouse:
Brian David Hill v. Commonwealth of Virginia	7:22-cv-00336	U.S. District Court, Western District of Virginia
Brian David Hill v. United States of America	1:22-CV-00074, 1:13-cr-435-1	U.S. District Court, Middle District of North Carolina
Commonwealth of Virginia	CR19000009-00	Circuit Court for the City of

v. Brian David Hill		Martinsville, Commonwealth of Virginia

Brian did not wanted to take things this far but to prove actual innocence he must fight with every avenue he has at his disposal to clear his name of any misdoing on September 21, 2018. Brian must prove his innocence and therefore the records must be retained due to the witness Mr. JaCody Cassell being a difficult witness refusing to admit to anything which caused the metal tin to further cause the issue of carbon monoxide poisoning of Brian David Hill.

Thank You. Respectfully filed with the banks and FDIC, this the 23rd day of July, 2022.



God bless you,
Brian D. Hill
Ally of Q, Former news reporter of U.S.W.G.O. Alternative News
310 Forest Street, Apartment 2
Martinsville, Virginia 24112
(276) 790-3505

U.S.W.G.O.

JusticeForUSWGO.NL or JusticeForUSWGO.wordpress.com

SUNTRUST BANK
PO BOX 305183
NASHVILLE TN 37230-5183

63/B11/0175/0 /74
1000155990541
10/19/2017

ACCOUNT
STATEMENT

ROBERTA R HILL
310 FOREST ST APT 1
MARTINSVILLE VA 24112-4210

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1-800-786-8787

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ACCOUNT SUMMARY

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DEPOSITS/CREDITS

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09/25	25.40	POINT OF SALE CREDIT TR DATE 09/22 REFUNDAMAZON.COM SEATTLE WA 00000101	82	
09/29	.05	ELECTRONIC/ACH CREDIT Amazon Asi935247 EDI PYMNTS OFA000100268898	30	70010329180
09/29	5.15	ELECTRONIC/ACH CREDIT Amazon Australia Services Inc.ACH/CRED /ORGAC/GB37DEUT40508128305600/Payment#: 59540504 null	30	71002000056
09/29	18.57	ELECTRONIC/ACH CREDIT AMAZON.COM935692 EDI PYMNTS OFA000100677296	30	70010328831
09/29	20.83	ELECTRONIC/ACH CREDIT AMAZON.COM935389 EDI PYMNTS OFA000100498304	30	70010328712
09/29	.11	ELECTRONIC/ACH CREDIT AMAZON MEDIA EU SARL ACH/CRED /ORGAC/GB51DEUT40508127304211/Payment#: 59391269 null	30	72003964873
09/29	.89	ELECTRONIC/ACH CREDIT AMAZON MEDIA EU SARL ACH/CRED /ORGAC/GB08DEUT40508127304209/Payment#: 59233693 null	30	72003968814
09/29	3.93	ELECTRONIC/ACH CREDIT AMAZON MEDIA EU SARL ACH/CRED /ORGAC/GB51DEUT40508127304211/Payment#: 59391790 null	30	72003965816
09/29	8.33	ELECTRONIC/ACH CREDIT AMAZON MEDIA EU SARL ACH/CRED /ORGAC/GB24DEUT40508127304212/Payment#: 60023625 null	30	72003966442
10/06	712.46	ELECTRONIC/ACH CREDIT VA DMAS PAYROLLJNL RA2496762	30	78008232944

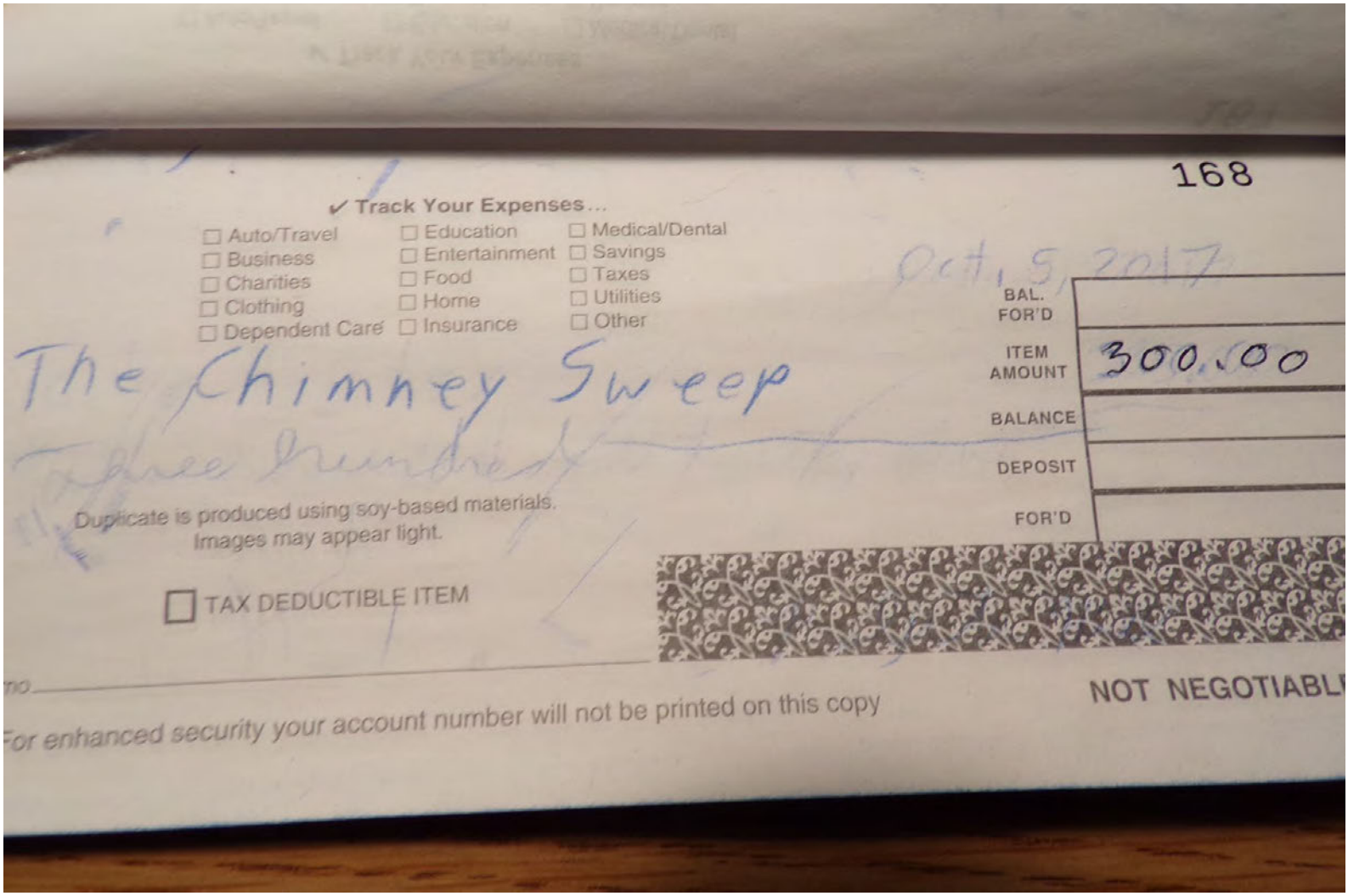
DEPOSITS/CREDITS: 11 TOTAL ITEMS DEPOSITED: 0

CHECKS

CHECK NUMBER	AMOUNT	DATE PAID	SR	BATCH	CHECK NUMBER	AMOUNT	DATE PAID	SR	BATCH
167	325.00	10/10	20	75241135	169	245.28	10/10	20	75225054
168	300.00	10/06	20	78221138					

CHECKS: 3

CONTINUED ON NEXT PAGE



168

✓ Track Your Expenses...

☐ Auto/Travel ☐ Education ☐ Medical/Dental
☐ Business ☐ Entertainment ☐ Savings
☐ Charities ☐ Food ☐ Taxes
☐ Clothing ☐ Home ☐ Utilities
☐ Dependent Care ☐ Insurance ☐ Other

Oct, 5, 2017

The Chimney Sweep

Three hundred

BAL. FOR'D
ITEM AMOUNT 300.00
BALANCE
DEPOSIT
FOR'D

Duplicate is produced using soy-based materials.
Images may appear light.

☐ TAX DEDUCTIBLE ITEM

NO

For enhanced security your account number will not be printed on this copy

NOT NEGOTIABL

TRUIST

MC 306-40-06-60
P.O. BOX 85052
RICHMOND, VA 23285

RICHMOND VA 230
21 JUL 2022 PM 1 L

US POSTAGE PITNEY BOWES
ZIP 23224 $ 000.57⁰
02 4W
0000365842 JUL 21 2022

Received on
July 23, 2022

ROBERTA RUTH HILL
310 FOREST STREET APT. 1
MARTINSVILLE, VA 24112

24112-421010

Subject: Undeliverable: Re: 953850 Mr. Brian D. Hill VS The Chimney Sweep
From: <postmaster@oag.state.va.us>
Date: 7/24/2022, 12:52 AM
To: <rbhill67@comcast.net>

Delivery has failed to these recipients or groups:

Ziglar, Aaron M. (aziglar@oag.state.va.us)
Your message is too large to send. To send it, make the message smaller, for example, by removing attachments.

The maximum message size that's allowed is 20 MB. This message is 28 MB.

Diagnostic information for administrators:

Generating server: SJ0PR09MB7246.namprd09.prod.outlook.com

aziglar@oag.state.va.us
Remote Server returned '550 5.2.3 RESOLVER.RST.RecipSizeLimit; message too large for this recipient'

Original message headers:

```
Received: from MWHPR09CA0022.namprd09.prod.outlook.com (2603:10b6:300:80::32)
 by SJ0PR09MB7246.namprd09.prod.outlook.com (2603:10b6:a03:26a::22) with
 Microsoft SMTP Server (version=TLS1_2,
 cipher=TLS_ECDHE_RSA_WITH_AES_256_GCM_SHA384) id 15.20.5458.19; Sun, 24 Jul
 2022 04:52:13 +0000
Received: from DM3GCC02FT034.eop-gcc02.prod.protection.outlook.com
 (2a01:111:f400:7d04::209) by MWHPR09CA0022.outlook.office365.com
 (2603:10b6:300:80::32) with Microsoft SMTP Server (version=TLS1_2,
 cipher=TLS_ECDHE_RSA_WITH_AES_256_GCM_SHA384) id 15.20.5458.18 via Frontend
 Transport; Sun, 24 Jul 2022 04:52:12 +0000
Authentication-Results: spf=pass (sender IP is 96.103.146.58)
 smtp.mailfrom=comcast.net; dkim=pass (signature was verified)
 header.d=comcast.net;dmarc=pass action=none header.from=comcast.net;
Received-SPF: Pass (protection.outlook.com: domain of comcast.net designates
 96.103.146.58 as permitted sender) receiver=protection.outlook.com;
 client-ip=96.103.146.58; helo=resqmta-a1p-077721.sys.comcast.net; pr=C
Received: from resqmta-a1p-077721.sys.comcast.net (96.103.146.58) by
 DM3GCC02FT034.mail.protection.outlook.com (10.97.8.200) with Microsoft SMTP
 Server (version=TLS1_2, cipher=TLS_ECDHE_RSA_WITH_AES_256_GCM_SHA384) id
 15.20.5458.17 via Frontend Transport; Sun, 24 Jul 2022 04:52:12 +0000
Received: from resomta-a1p-077059.sys.comcast.net ([96.103.145.240])
        by resqmta-a1p-077721.sys.comcast.net with ESMTP
        id FTHKogbZ3jfy9FTb8oxAtf; Sun, 24 Jul 2022 04:52:11 +0000
DKIM-Signature: v=1; a=rsa-sha256; c=relaxed/relaxed; d=comcast.net;
        s=20190202a; t=1658638331;
        bh=gS2UOSDqA24ko7oBjsb7gG0qe+eViWH5ozfOMni05Xg=;
        h=Received:Received:Date:From:To:Message-ID:Subject:MIME-Version:
```

3320

```
         Content-Type;
        b=Kz96YlohofEksy2WGrO8XwYwUjAGCUiTnykdGt38mt4baCHvS7iiHJ7ZLPpFXAp8R
         xA2IN7WYjsc/m9n4PYK7xhnYRGZYbeABf8tC9wUGFPVhqHLBs/do1E+wA+eWjSBOuP
         Dwco+HZ8+fzEPV6kf4f3rx7YVtytK9xazbMFvglmR2rQdyJVNtsH6TBRDhOlNHTjK0
         NM1lXVdmbuI7sG1Iap7sc0ZTlBU4SWl+bu4friHZAwRGveDF34jLsK+R0InRnQrI2+
         ixkKFGCN48OmPvmdT3JnalWdloKM94RPLhsQ5Q8mQ/ENLJPbo258tKQv/+zUF6EEY0
         LoOUmInSMSH1w==
Received: from oxapp-ch2f-40o.email.comcast.net ([96.117.82.149])
        by resomta-a1p-077059.sys.comcast.net with ESMTPS
        id FTaiomuZacvZwFTaioL2hW; Sun, 24 Jul 2022 04:51:47 +0000
X-Xfinity-VAAS: =?us-ascii?Q?gggruggvucftvghtrhhoucdtuddrgedvfedrvddthedgleduucetufdotegg?=
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 =?us-ascii?Q?fgfvpdfpqffurfetoffkrfenuceurghilhhouhhtmecufedtudenucesvcft?=
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 =?us-ascii?Q?thhtoheplhifohhougeslhhinhifohhoughlrgifrdgtohhmpdhrtghpthht?=
 =?us-ascii?Q?oheplhifohhougesfhhighhhhthgsrggtkhdrlhgrfi?=
X-Xfinity-VMeta: sc=-100.00;st=legit
Date: Sun, 24 Jul 2022 00:51:43 -0400 (EDT)
From: ROBERTA HILL <rbhill67@comcast.net>
To: "Ziglar, Aaron M." <AZiglar@oag.state.va.us>,
        "eferguson@fergusonlaw.net" <eferguson@fergusonlaw.net>
CC: "stanleybolten@justiceforuswgo.nl" <StanleyBolten@justiceforuswgo.nl>,
        Ken & Stella Forinash <kenstella@comcast.net>,
        "kenstella2005@comcast.net" <kenstella2005@comcast.net>,
        Lin Wood <lwood@linwoodlaw.com>, Lin Wood <lwood@fightback.law>
Message-ID: <643739282.1777522.1658638304361@connect.xfinity.com>
Subject: Re: 953850 Mr. Brian D. Hill VS The Chimney Sweep
MIME-Version: 1.0
Content-Type: multipart/mixed;
        boundary="----=_Part_1777519_184830265.1658638304334"
Disposition-Notification-To: ROBERTA HILL <rbhill67@comcast.net>
X-Priority: 1
Importance: High
X-Mailer: Open-Xchange Mailer v7.10.5-Rev21
X-Originating-IP: ::ffff:73.251.250.57
X-Originating-Client: open-xchange-appsuite
Return-Path: rbhill67@comcast.net
X-EOPAttributedMessage: 0
X-EOPTenantAttributedMessage: 4489c3bc-1b50-42d5-87ba-e6d67991beb5:0
X-MS-PublicTrafficType: Email
X-MS-Office365-Filtering-Correlation-Id: 7c67b10d-3aa0-487f-ba97-08da6d304605
X-MS-TrafficTypeDiagnostic: SJ0PR09MB7246:EE_
```

```
Reporting-MTA: dns;SJ0PR09MB7246.namprd09.prod.outlook.com
Received-From-MTA: dns;resqmta-a1p-077721.sys.comcast.net
Arrival-Date: Sun, 24 Jul 2022 04:52:13 +0000

Final-Recipient: rfc822;aziglar@oag.state.va.us
Action: failed
Status: 5.2.3
Diagnostic-Code: smtp;550 5.2.3 RESOLVER.RST.RecipSizeLimit; message too large for this
recipient
X-Display-Name: Ziglar, Aaron M.
```

Received: from MWHPR09CA0022.namprd09.prod.outlook.com (2603:10b6:300:80::32)
 by SJ0PR09MB7246.namprd09.prod.outlook.com (2603:10b6:a03:26a::22) with
 Microsoft SMTP Server (version=TLS1_2,
 cipher=TLS_ECDHE_RSA_WITH_AES_256_GCM_SHA384) id 15.20.5458.19; Sun, 24 Jul
 2022 04:52:13 +0000
Received: from DM3GCC02FT034.eop-gcc02.prod.protection.outlook.com
 (2a01:111:f400:7d04::209) by MWHPR09CA0022.outlook.office365.com
 (2603:10b6:300:80::32) with Microsoft SMTP Server (version=TLS1_2,
 cipher=TLS_ECDHE_RSA_WITH_AES_256_GCM_SHA384) id 15.20.5458.18 via Frontend
 Transport; Sun, 24 Jul 2022 04:52:12 +0000
Authentication-Results: spf=pass (sender IP is 96.103.146.58)
 smtp.mailfrom=comcast.net; dkim=pass (signature was verified)
 header.d=comcast.net;dmarc=pass action=none header.from=comcast.net;
Received-SPF: Pass (protection.outlook.com: domain of comcast.net designates
 96.103.146.58 as permitted sender) receiver=protection.outlook.com;
 client-ip=96.103.146.58; helo=resqmta-a1p-077721.sys.comcast.net; pr=C
Received: from resqmta-a1p-077721.sys.comcast.net (96.103.146.58) by
 DM3GCC02FT034.mail.protection.outlook.com (10.97.8.200) with Microsoft SMTP
 Server (version=TLS1_2, cipher=TLS_ECDHE_RSA_WITH_AES_256_GCM_SHA384) id
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        id FTHKogbZ3jfy9FTb8oxAtf; Sun, 24 Jul 2022 04:52:11 +0000
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        s=20190202a; t=1658638331;
        bh=gS2UOSDqA24ko7oBjsb7gG0qe+eViWH5ozfOMni05Xg=;
        h=Received:Received:Date:From:To:Message-ID:Subject:MIME-Version:
         Content-Type;
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Received: from oxapp-ch2f-40o.email.comcast.net ([96.117.82.149])
        by resomta-a1p-077059.sys.comcast.net with ESMTPS
        id FTaiomuZacvZwFTaioL2hW; Sun, 24 Jul 2022 04:51:47 +0000
X-Xfinity-VAAS:
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X-Xfinity-VMeta: sc=-100.00;st=legit
Date: Sun, 24 Jul 2022 00:51:43 -0400 (EDT)
From: ROBERTA HILL <rbhill67@comcast.net>
To: "Ziglar, Aaron M." <AZiglar@oag.state.va.us>,
        "eferguson@fergusonlaw.net" <eferguson@fergusonlaw.net>
Cc: "stanleybolten@justiceforuswgo.nl" <StanleyBolten@justiceforuswgo.nl>,
        Ken & Stella Forinash <kenstella@comcast.net>,
        "kenstella2005@comcast.net" <kenstella2005@comcast.net>,
        Lin Wood <lwood@linwoodlaw.com>, Lin Wood <lwood@fightback.law>
Message-ID: <643739282.1777522.1658638304361@connect.xfinity.com>
Subject: Re: 953850 Mr. Brian D. Hill VS The Chimney Sweep
MIME-Version: 1.0
Content-Type: multipart/mixed;
        boundary="----=_Part_1777519_184830265.1658638304334"
Disposition-Notification-To: ROBERTA HILL <rbhill67@comcast.net>
X-Priority: 1
Importance: High
X-Mailer: Open-Xchange Mailer v7.10.5-Rev21
X-Originating-IP: ::ffff:73.251.250.57
X-Originating-Client: open-xchange-appsuite
Return-Path: rbhill67@comcast.net
X-MS-Exchange-Organization-OriginalArrivalTime: 24 Jul 2022 04:52:12.5422
 (UTC)
X-MS-Exchange-Organization-ExpirationStartTime: 24 Jul 2022 04:52:12.6984
 (UTC)
X-MS-Exchange-Organization-ExpirationStartTimeReason: OriginalSubmit
X-MS-Exchange-Organization-ExpirationInterval: 1:00:00:00.0000000
X-MS-Exchange-Organization-ExpirationIntervalReason: OriginalSubmit
X-MS-Exchange-Organization-Network-Message-Id:
 7c67b10d-3aa0-487f-ba97-08da6d304605
X-MS-Exchange-Organization-OriginalClientIPAddress: 96.103.146.58
X-MS-Exchange-Organization-OriginalServerIPAddress: 10.97.8.200
X-EOPAttributedMessage: 0
X-EOPTenantAttributedMessage: 4489c3bc-1b50-42d5-87ba-e6d67991beb5:0
X-MS-Exchange-Organization-TargetResourceForest: namprd09.prod.outlook.com
X-MS-Exchange-Organization-OrgEopForest: GCC02
X-MS-Exchange-Organization-MessageDirectionality: Incoming
X-MS-Exchange-Organization-Id: 4489c3bc-1b50-42d5-87ba-e6d67991beb5
X-MS-Exchange-Organization-FFO-ServiceTag: GCC02B
X-MS-Exchange-Organization-Cross-Premises-Headers-Processed:
 DM3GCC02FT034.eop-gcc02.prod.protection.outlook.com
X-MS-Exchange-Organization-ConnectingIP: 96.103.146.58
X-MS-Exchange-Organization-ConnectingEHLO: resqmta-a1p-077721.sys.comcast.net
X-MS-Exchange-Organization-AS-LastExternalIp: 96.103.146.58
X-MS-Exchange-Organization-IsAtpTenant: true
X-MS-Exchange-Organization-IsTrialAtpTenant: true
X-MS-Exchange-Organization-Originating-Country: US
X-MS-Exchange-Organization-OriginalEnvelopeRecipients: aziglar@oag.state.va.us
X-MS-Exchange-Organization-PtrDomains: resqmta-a1p-077721.sys.comcast.net
X-MS-Exchange-Organization-EhloAndPtrDomain:
 resqmta-a1p-077721.sys.comcast.net;resqmta-a1p-077721.sys.comcast.net
X-MS-Exchange-Organization-MxPointsToUs: true
X-MS-Exchange-Organization-RecipientMxInfo-PFAFD:
 oag.state.va.us#oag-state-va-us.mail.protection.outlook.com
X-MS-Exchange-Organization-CompAuthRes: pass
X-MS-Exchange-Organization-CompAuthReason: 100
X-MS-Exchange-Organization-SpoofDetection-Frontdoor-DisplayDomainName:
 comcast.net
```

X-MS-Exchange-Organization-Auth-ExtendedDmarcStatus: Pass
X-MS-Exchange-Organization-SenderRep-Score: 3
X-MS-Exchange-Organization-SenderRep-Data:
 IpClassLargeGrayOther_GrayOther_GrayBest
X-MS-Exchange-Organization-VBR-Class: GrayOther
X-MS-Exchange-Organization-HMATPModel-Spf: 1
X-MS-Exchange-Organization-HMATPModel-Recipient:
 <PII:H101(6+cegJWfQylnEultbkzqOYWBDAijKPXW4+H9xSCLhrQ=)>@oag.state.va.us
X-MS-Exchange-Organization-TransportTrafficType: Email
X-MS-PublicTrafficType: Email
X-MS-Exchange-Organization-OrderedPrecisionLatencyInProgress:
 LSRV=MWHPR09CA0022.namprd09.prod.outlook.com:TOTAL-FE=0.156|SMR-
PEN=0.157(RENV=0.116|REOH=0.039);2022-07-24T04:52:13.018Z
X-MS-Exchange-Organization-MessageLatency:
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PEN=0.227(RENV=0.107(SMRRC=0.025)|REOH=0.119(SMREH=0.076(SMREH-Protocol
 Filter Agent=0.074)))|SMS=0.086
X-MS-Exchange-Organization-MessageLatency:
        SRV=MWHPR09CA0022.namprd09.prod.outlook.com:TOTAL-FE=0.193|SMR-
PEN=0.157(RENV=0.116|REOH=0.039)|SMS=0.037(SMSC=0.044)
X-MS-Exchange-Forest-ArrivalHubServer: SJ0PR09MB7246.namprd09.prod.outlook.com
X-MS-Exchange-Organization-AuthSource:
        DM3GCC02FT034.eop-gcc02.prod.protection.outlook.com
X-MS-Exchange-Organization-AuthAs: Anonymous
X-MS-Exchange-Organization-FromEntityHeader: Internet
X-MS-Exchange-Organization-MessageScope: 61acb4d7-70ae-459f-b7bc-064936a4484a
X-MS-Exchange-Forest-MessageScope: 61acb4d7-70ae-459f-b7bc-064936a4484a
X-MS-Exchange-Organization-Antispam-ProtocolFilterHub-ScanContext:
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X-MS-Exchange-Organization-TotalRecipientCount: 1
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Subject: Re: 953850 Mr. Brian D. Hill VS The Chimney Sweep PART 2
From: ROBERTA HILL <rbhill67@comcast.net>
Date: 7/24/2022, 1:06 AM
To: "Ziglar, Aaron M." <AZiglar@oag.state.va.us>, "eferguson@fergusonlaw.net" <eferguson@fergusonlaw.net>

Split attachments PART 2

On 7/24/2022 12:51 AM, ROBERTA HILL wrote:

> Aaron Ziglar and attorney Eric Ferguson,
>
> My son Brian David Hill is filing one more letter in this case otherwise he will file a second complaint against The Chimney Sweep and may file a complaint against Aaron Ziglar (if he refuses to accept this letter with the final evidence) with the Judicial Inquiry and Review Commission to force this information on the record at the Attorney General's office, it must be on record, the bank account records. Brian will just file those in his federal and state cases to force this information to be filed on record to disprove Mr. Cassell's wall of denials. He is a difficult witness as my son has claimed in this letter. By legal definition, Jacody Cassell refuses to be a witness, so he is a difficult witness.
>
> We have the bank records and it does have a $300 check paid on October 6, 2017, a day after the check was given to somebody working for "The Chimney Sweep". Along with the telephone numbers from the phone logs which can be verified by xFinity / Comcast. All it proves the wall of denials by Jacody Cassell will not suffice as facts in a Federal Court on an evidentiary hearing for Writs of Habeas Corpus.
>
> My son is filing this last letter in this case. Please accept it and file it in the record.
>
> There is also a litigation hold letter. My son will be adding Jacody Cassell in his witness lists to push for requiring Jacody Cassell to appear in federal court in North Carolina and in Roanoke or Abingdon or on Zoom, for any court ordered evidentiary hearings.
>
> I am sorry but my son will not give up until he is properly acquitted of his state charge.
>
> This will be his last letter in this complaint case. Since Brian w
>
> Thanks,
> Roberta Hill
>
> On 7/18/2022 2:29 PM, Ziglar, Aaron M. wrote:
>
> > Good afternoon Mr. Hill,

Thank you for authorizing the Virginia Attorney General's Office to attempt to assist in the resolution of your complaint. The dispute resolution process is not a legal process – thus, there is no final decision that our Office will make. Participation is voluntary – we cannot compel either party to respond or accept the other party's offer of resolution. If a mutually agreeable resolution cannot be obtained we typically advise the complainant of other options available to pursue the complaint in court, at which point our Office is no longer involved.

Unfortunately, it does not seem the dispute resolution process is the appropriate forum to resolve your dispute with The Chimney Sweep. As a result, we are closing your complaint. Consequently, your only recourse may be to pursue this matter through the appropriate court. You may wish to consult with a private attorney to discuss your options in this matter. If you do not have an attorney, you may contact one through the Virginia Lawyer Referral Service at (804) 775-0808 or toll-free inside Virginia at 1-800-552-7977 or by visiting: www.vsb.org/vlrs/. You may also consider filing in Small Claims court. For more information about Virginia's court system, please visit www.courts.state.va.us/courts/home.html, or contact your local General District Court Clerk's office.

This Office will retain your complaint form and copies of all official correspondence regarding the complaint in accordance with the applicable state retention schedule. Under the Virginia Freedom of Information Act, please be advised that these materials will be available to the public for review, upon request.

Aaron M. Ziglar | Dispute Resolution Specialist
Office of the Attorney General
202 North 9th Street
Richmond, Virginia 23219
O: (804) 786-1244 | M: | F:
AZiglar@oag.state.va.us
https://www.oag.state.va.us

Attachments:

Oct 5 2017 check stub.pdf	503 KB
USWGO_20220723_165251(OCR)_Redacted.pdf	8.3 MB

3337

USWGO_20220723_165737(OCR).pdf 184 KB

Subject: Re: 953850 Mr. Brian D. Hill VS The Chimney Sweep PART 1
From: ROBERTA HILL <rbhill67@comcast.net>
Date: 7/24/2022, 1:07 AM
To: "Ziglar, Aaron M." <AZiglar@oag.state.va.us>, "eferguson@fergusonlaw.net" <eferguson@fergusonlaw.net>

Split attachments PART 1

On 7/24/2022 12:51 AM, ROBERTA HILL wrote:

> Aaron Ziglar and attorney Eric Ferguson,
>
> My son Brian David Hill is filing one more letter in this case otherwise he will file a second complaint against The Chimney Sweep and may file a complaint against Aaron Ziglar (if he refuses to accept this letter with the final evidence) with the Judicial Inquiry and Review Commission to force this information on the record at the Attorney General's office, it must be on record, the bank account records. Brian will just file those in his federal and state cases to force this information to be filed on record to disprove Mr. Cassell's wall of denials. He is a difficult witness as my son has claimed in this letter. By legal definition, Jacody Cassell refuses to be a witness, so he is a difficult witness.
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> My son is filing this last letter in this case. Please accept it and file it in the record.
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> Roberta Hill
>
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>
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This Office will retain your complaint form and copies of all official correspondence regarding the complaint in accordance with the applicable state retention schedule. Under the Virginia Freedom of Information Act, please be advised that these materials will be available to the public for review, upon request.

Aaron M. Ziglar | Dispute Resolution Specialist
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202 North 9th Street
Richmond, Virginia 23219
O: (804) 786-1244 | M: | F:
AZiglar@oag.state.va.us
https://www.oag.state.va.us

Attachments:

Letter to Aaron Ziglar and Eric Ferguson - July 23, 2022(3) w_evidence.pdf 11.8 MB

3340

Subject: Read: 953850 Mr. Brian D. Hill VS The Chimney Sweep PART 1
From: "Ziglar, Aaron M." <AZiglar@oag.state.va.us>
Date: 7/25/2022, 10:04 AM
To: ROBERTA HILL <rbhill67@comcast.net>

[Office of the Attorney General]
Aaron M. Ziglar | Dispute Resolution Specialist
Office of the Attorney General
202 North 9th Street
Richmond, Virginia 23219
O: (804) 786-1244 | M: | F:
AZiglar@oag.state.va.us<mailto:AZiglar@oag.state.va.us>
https://www.oag.state.va.us

ForwardedMessage.eml

Subject: Read: 953850 Mr. Brian D. Hill VS The Chimney Sweep PART 1
From: "Ziglar, Aaron M." <AZiglar@oag.state.va.us>
Date: 7/25/2022, 10:04 AM
To: ROBERTA HILL <rbhill67@comcast.net>

Attachments:

ForwardedMessage.eml	16.1 KB
winmail.dat	5.8 KB

Subject: Re: 953850 Mr. Brian D. Hill VS The Chimney Sweep, PHOTOCOPY OF SIGNED CHECK, CASSELL SIGNED CHECK
From: ROBERTA HILL <rbhill67@comcast.net>
Date: 8/15/2022, 10:28 PM
To: "Ziglar, Aaron M." <AZiglar@oag.state.va.us>, "eferguson@fergusonlaw.net" <eferguson@fergusonlaw.net>, "Coen, Chris" <ccoen@oag.state.va.us>, "OAG Criminal Litigation (oagcriminallitigation@oag.state.va.us)" <oagcriminallitigation@oag.state.va.us>
CC: Ken & Stella Forinash <kenstella@comcast.net>, "kenstella2005@comcast.net" <kenstella2005@comcast.net>, "stanleybolten@justiceforuswgo.nl" <StanleyBolten@justiceforuswgo.nl>

Photocopy of check signed by Mr. Cassell, photocopy from TRUIST Bank after weeks of research the bank needed as per my request. Brian will be filing a new complaint against Mr. Cassell for lying to the Attorney General to dismiss a complaint with factual issues of carbon monoxide gas caused by metal tin being placed on chimney flues by denying everything to the extent where there is lying, with proof that Eric Ferguson and JaCody Cassell lied to the Office of the Attorney General. Lied by claiming never did any work/service or estimate for the Hills. $300 check was signed for by Cassell. His signature in cursive writing does show his signature.

By denying ever conducting any service or estimate, $300 was assumed to have been paid for absolutely nothing. That is business fraud, $300 paid for nothing. TRUIST has the records.

A new complaint will be filed by Brian Hill with the evidence proving that JaCody Cassell lied through his attorney, that may be fraud.

See Virginia Code, Chapter 6. Crimes Involving Fraud, § 18.2-178. Obtaining money or signature, etc., by false pretense.

Since $300 was paid for no service since JaCody Cassell denied everything, then $300 was paid for no service, therefore **if Cassell wishes to continue denying, then $300 was paid for no service which may be a false pretense. It is your choice Eric Ferguson and JaCody Cassell, if you wish to continue denying that any service was ever done, continue denying any estimate, well then I paid $300 for nothing to you and that isn't true. That may be considered business fraud depending on how the laws are interpreted.**

The U.S. Probation Office may also receive this evidence to conduct their own investigation, the State Police may receive a copy. It is time for Brian David Hill to be acquitted of his state charge of indecent exposure, Brian

David Hill = Innocence.

-------- Forwarded Message --------

Subject: Re: 953850 Mr. Brian D. Hill VS The Chimney Sweep
Date: Tue, 12 Jul 2022 14:24:35 +0000
From: Ziglar, Aaron M. <AZiglar@oag.state.va.us>
To:ROBERTA HILL <rbhill67@comcast.net>

CITATION:

> **The only thing I am interested in is if The Chimney Sweep did any work for them in 2017. If they have a check, then produce it. If not, then drop this matter.**

Attachments:

USWGO_20220815_202415.PDF	400 KB
USWGO_20220815_194924.PDF	1.8 MB



TRUIST

Truist Bank
306-18-02-40
PO Box 85024
Richmond, VA 23294

US POSTAGE PITNEY BOWES
ZIP 28217 $ 000.45[5]
02 4W
0000348030 AUG 12 2022

Received on
August 15, 2022

Roberta R. Hill
310 Forest St., Apt. 1
Martinsville, VA 24112

632074509 21 GAK3N5B 24112

TRUIST

Client Advocacy
P.O. Box 85024
Richmond, VA 23285-5024
Tel 844-4TRUIST

Kathy Bowles
Assistant Vice President
Client Resolution Senior Specialist

August 11, 2022

Roberta R. Hill
310 Forest St., Apt. 1
Martinsville, VA 24112

Re: Everyday Checking Account ending in 0541
Consumer Financial Protection Bureau (CFPB) Case 220708-9015906
Federal Deposit Insurance Corporation (FDIC) Case 01419660

Dear Ms. Hill:

We have received and reviewed your concerns forwarded to us from the CFPB and the FDIC regarding your request for a statement and check copy from the account referenced above. I understand you did not have a positive experience and apologize for any frustration caused. I appreciate the opportunity to respond.

Our records indicate that your statement dated October 19, 2017, shows Check 168, payable to The Chimney Sweep, was paid on October 6, 2017 for $300.00. Enclosed is a copy of the statement and check for your review.

Ms. Hill, I hope this information is helpful and will alleviate further concerns. Should you have any questions or additional concerns, please call us at 844-4TRUIST (844-487-8478). A representative will be glad to speak with you.

Sincerely,

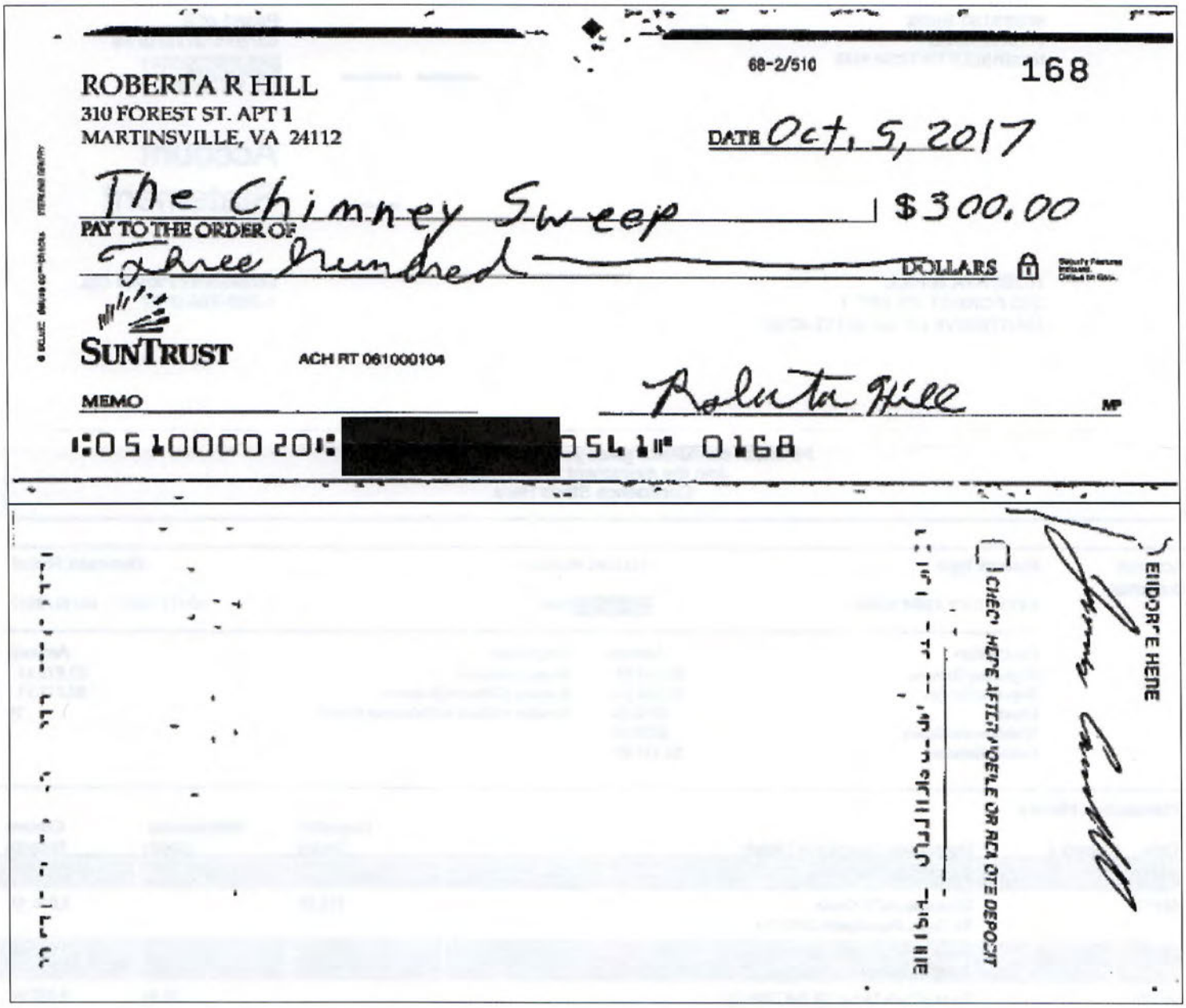
Kathy Bowles

Kathy Bowles
Assistant Vice President, Client Resolution Senior Specialist
Consumer Regulatory & Executive Services Team

Enclosures

Copies to: Consumer Financial Protection Bureau
Federal Deposit Insurance Corporation

Truist Bank, Member FDIC. © 2022 Truist Financial Corporation. Truist, the Truist logo and Truist Purple are service marks of Truist Financial Corporation.



ROBERTA R HILL
310 FOREST ST. APT 1
MARTINSVILLE, VA 24112

68-2/510

168

DATE Oct. 5, 2017

PAY TO THE ORDER OF The Chimney Sweep $300.00

Three Hundred DOLLARS

SUNTRUST ACH RT 061000104

MEMO

Roberta Hill

⑆051000020⑆ [redacted] 0541" 0168

ENDORSE HERE

CHECK HERE AFTER MOBILE OR REMOTE DEPOSIT

SUNTRUST BANK
PO BOX 305183
NASHVILLE TN 37230-5183

63/B11/0175/0/74
[redacted]0541
10/19/2017

Account Statement

Transaction History

Date	Check #	Transaction Description Details	Deposits/ Credits	Withdrawals/ Debits	Current Balance
10/03		Check Card Purchase TR DATE10/01 Arv*arvixe 888-9278493 Ca		19.90	3,029.86
10/05		Point of Sale Debit TR DATE10/04 Amazon.Com Seattle Wa 00000101		18.42	3,011.44
10/06		Electronic/ACH Credit Va Dmas PayrolljnlRa2496762	712.46		
10/06		Point of Sale Debit TR DATE10/06 Amazon.Com Seattle Wa 00000101		80.63	
10/06	168	Check		300.00	3,343.27
10/10		Point of Sale Debit TR DATE10/08 Amazon.Com Seattle Wa 00000100		21.39	
10/10		Point of Sale Debit TR DATE10/08 Amazon.Com Seattle Wa 00000100		6.64	
10/10		Point of Sale Debit TR DATE10/09 Wm Supercenter Martinsville Va12430060		62.13	
10/10	169	Check		245.28	
10/10	167	Check		325.00	2,682.83
10/11		Electronic/ACH Debit UtilityGas Compan 38171		22.81	2,660.02
10/12		Check Card Purchase TR DATE10/12 Tracfone *Services Tracfone.Com Fl		9.63	
10/12		Point of Sale Debit TR DATE10/10 Amazon.Com Seattle Wa 00000100		188.35	2,462.04
10/13		Electronic/ACH Debit Capital One Online Pmt Ckf784798608pos		5.49	2,456.55
10/18		Electronic/ACH Debit Comcast Online Pmt Ckf784798608pos		144.69	2,311.86
10/19		Ending Balance			2,311.86
		Credit and Debit Totals	$1,508.18	$1,540.34	

The Ending Daily Balances provided do not reflect pending transactions or holds that may have been outstanding when your transactions posted that day. If your available balance wasn't sufficient when transactions posted, fees may have been assessed.
For more information, including details related to fees and balances, please sign on to Online Banking.

Balance Activity History

Date	Balance	Collected Balance	Date	Balance	Collected Balance
09/21	2,344.02	2,344.02	10/05	3,011.44	3,011.44
09/22	3,056.48	3,056.48	10/06	3,343.27	3,343.27
09/25	3,081.88	3,081.88	10/10	2,682.83	2,682.83
09/27	3,052.94	3,052.94	10/11	2,660.02	2,660.02
09/29	3,110.80	3,110.80	10/12	2,462.04	2,462.04
10/02	3,049.76	3,049.76	10/13	2,456.55	2,456.55
10/03	3,029.86	3,029.86	10/18	2,311.86	2,311.86

Live confidently knowing that you're prepared for what comes your way. When you have the right savings plan, life's opportunities are a cause for celebration, not calculation. Plan today for an exciting tomorrow.
Go to suntrust.com/save, call 800.322.3158 or visit your local branch to get started.
SunTrust Bank, Member FDIC.

Subject: FW: 953850 Mr. Brian D. Hill VS The Chimney Sweep, PHOTOCOPY OF SIGNED CHECK, CASSELL SIGNED CHECK
From: "Ziglar, Aaron M." <AZiglar@oag.state.va.us>
Date: 8/19/2022, 11:36 AM
To: "rbhill67@comcast.net" <rbhill67@comcast.net>

Dear Mr. Hill/Mr. Ferguson,
Thank you for authorizing the Virginia Attorney General's Office to assist in the resolution of your dispute. Our Office has received the below written response from the business to your complaint. Please review it carefully and, if you would like to provide a response, please do so in writing within ten (10) business days from the date of this email. In the event I fail to hear from you in writing within ten business days, the complaint will be closed and no further action will be taken. **Please note that I will be on an extended leave of absence from the office after today. Please direct any questions or written correspondence to Demetrice Davis. Her email address is DADavis@oag.state.va.us and her telephone number is (804) 786-1304.**
This Office will retain the complaint form and copies of all official correspondence regarding the complaint in accordance with the applicable state retention schedule. Under the Virginia Freedom of Information Act, please be advised that these materials will be available to the public for review, upon request.

If you have any additional information or need further assistance, please feel free to contact me or respond to this message.

Sincerely,

Office of the Attorney General

Aaron M. Ziglar | Dispute Resolution Specialist
Office of the Attorney General
202 North 9th Street
Richmond, Virginia 23219
O: (804) 786-1244 | M: | F:
AZiglar@oag.state.va.us
https://www.oag.state.va.us

From: ROBERTA HILL <rbhill67@comcast.net>
Sent: Monday, August 15, 2022 10:28 PM
To: Ziglar, Aaron M. <AZiglar@oag.state.va.us>; eferguson@fergusonlaw.net; Coen, Chris <ccoen@oag.state.va.us>; OAGCriminalLitigation <OAGCriminalLitigation@oag.state.va.us>
Cc: Ken & Stella Forinash <kenstella@comcast.net>; kenstella2005@comcast.net; stanleybolten@justiceforuswgo.nl
Subject: Re: 953850 Mr. Brian D. Hill VS The Chimney Sweep, PHOTOCOPY OF SIGNED CHECK, CASSELL SIGNED CHECK
Importance: High

Photocopy of check signed by Mr. Cassell, photocopy from TRUIST Bank after weeks of research the bank needed as per my request. Brian will be filing a new complaint against Mr. Cassell for lying to the Attorney General to dismiss a complaint with factual issues of carbon monoxide gas caused by metal tin being placed on chimney flues by denying

everything to the extent where there is lying, with proof that Eric Ferguson and JaCody Cassell lied to the Office of the Attorney General. Lied by claiming never did any work/service or estimate for the Hills. $300 check was signed for by Cassell. His signature in cursive writing does show his signature.

By denying ever conducting any service or estimate, $300 was assumed to have been paid for absolutely nothing. That is business fraud, $300 paid for nothing. TRUIST has the records.

A new complaint will be filed by Brian Hill with the evidence proving that JaCody Cassell lied through his attorney, that may be fraud.

See Virginia Code, Chapter 6. Crimes Involving Fraud, § 18.2-178. Obtaining money or signature, etc., by false pretense.

Since $300 was paid for no service since JaCody Cassell denied everything, then $300 was paid for no service, therefore **if Cassell wishes to continue denying, then $300 was paid for no service which may be a false pretense. It is your choice Eric Ferguson and JaCody Cassell, if you wish to continue denying that any service was ever done, continue denying any estimate, well then I paid $300 for nothing to you and that isn't true. That may be considered business fraud depending on how the laws are interpreted.**

The U.S. Probation Office may also receive this evidence to conduct their own investigation, the State Police may receive a copy. It is time for Brian David Hill to be acquitted of his state charge of indecent exposure, Brian David Hill = Innocence.

-------- Forwarded Message --------

Subject: Re: 953850 Mr. Brian D. Hill VS The Chimney Sweep
Date: Tue, 12 Jul 2022 14:24:35 +0000
From: Ziglar, Aaron M. <AZiglar@oag.state.va.us>
To:ROBERTA HILL <rbhill67@comcast.net>

CITATION:

The only thing I am interested in is if The Chimney Sweep did any work for them in 2017. If they have a check, then produce it. If not, then drop this matter.

Attachments:

USWGO_20220815_202415.PDF	400 KB
USWGO_20220815_194924.PDF	1.8 MB



TRUIST

Truist Bank
306-18-02-40
PO Box 85024
Richmond, VA 23294

US POSTAGE PITNEY BOWES
ZIP 28217 $ 000.45[5]
02 4W
0000348030 AUG 12 2022

Received on
August 15, 2022

Roberta R. Hill
310 Forest St., Apt. 1
Martinsville, VA 24112

632074509 21 GAK3N5B 24112

Subject: FW: 953850 Mr. Brian D. Hill VS The Chimney Sweep, PHOTOCOPY OF SIGNED CHECK, CASSELL SIGNED CHECK
From: "Davis, Demetrice A." <DADavis@oag.state.va.us>
Date: 8/24/2022, 9:44 AM
To: "rbhill67@comcast.net" <rbhill67@comcast.net>

Dear Mrs. Hill,

This email is to advise you that your complaint has been re-assigned to my attention. Aaron Ziglar will be out of the office on extended leave; however, he did forward the new information that you provided to Mr. Ferguson (see the below email). Please feel free to contact me if you have any questions or concerns.

I see that you have copied others here at the Attorney General's Office regarding your son's complaint. Do you currently have a criminal case that our office is involved in? I do not work in that section so I do not have access to that information.

Thank you,

Demetrice A. Davis | Unit Manager, CIRU and DRU
Office of the Attorney General
202 North 9th Street
Richmond, Virginia 23219
O: (804) 786-1304 | M: | F:
DADavis@oag.state.va.us
https://www.oag.state.va.us

From: Ziglar, Aaron M. <AZiglar@oag.state.va.us>
Sent: Friday, August 19, 2022 10:48 AM
To: eferguson@fergusonlaw.net
Cc: Davis, Demetrice A. <DADavis@oag.state.va.us>
Subject: RE: 953850 Mr. Brian D. Hill VS The Chimney Sweep, PHOTOCOPY OF SIGNED CHECK, CASSELL SIGNED CHECK
Importance: High

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Cc: Ken & Stella Forinash <kenstella@comcast.net>; kenstella2005@comcast.net; stanleybolten@justiceforuswgo.nl
Subject: Re: 953850 Mr. Brian D. Hill VS The Chimney Sweep, PHOTOCOPY OF SIGNED CHECK, CASSELL SIGNED CHECK
Importance: High

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3354

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632074509 21 GAK3N5B 24112

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Client Advocacy
P.O. Box 85024
Richmond, VA 23285-5024
Tel 844-4TRUIST

Kathy Bowles
Assistant Vice President
Client Resolution Senior Specialist

August 11, 2022

Roberta R. Hill
310 Forest St., Apt. 1
Martinsville, VA 24112

Re: Everyday Checking Account ending in 0541
Consumer Financial Protection Bureau (CFPB) Case 220708-9015906
Federal Deposit Insurance Corporation (FDIC) Case 01419660

Dear Ms. Hill:

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Ms. Hill, I hope this information is helpful and will alleviate further concerns. Should you have any questions or additional concerns, please call us at 844-4TRUIST (844-487-8478). A representative will be glad to speak with you.

Sincerely,

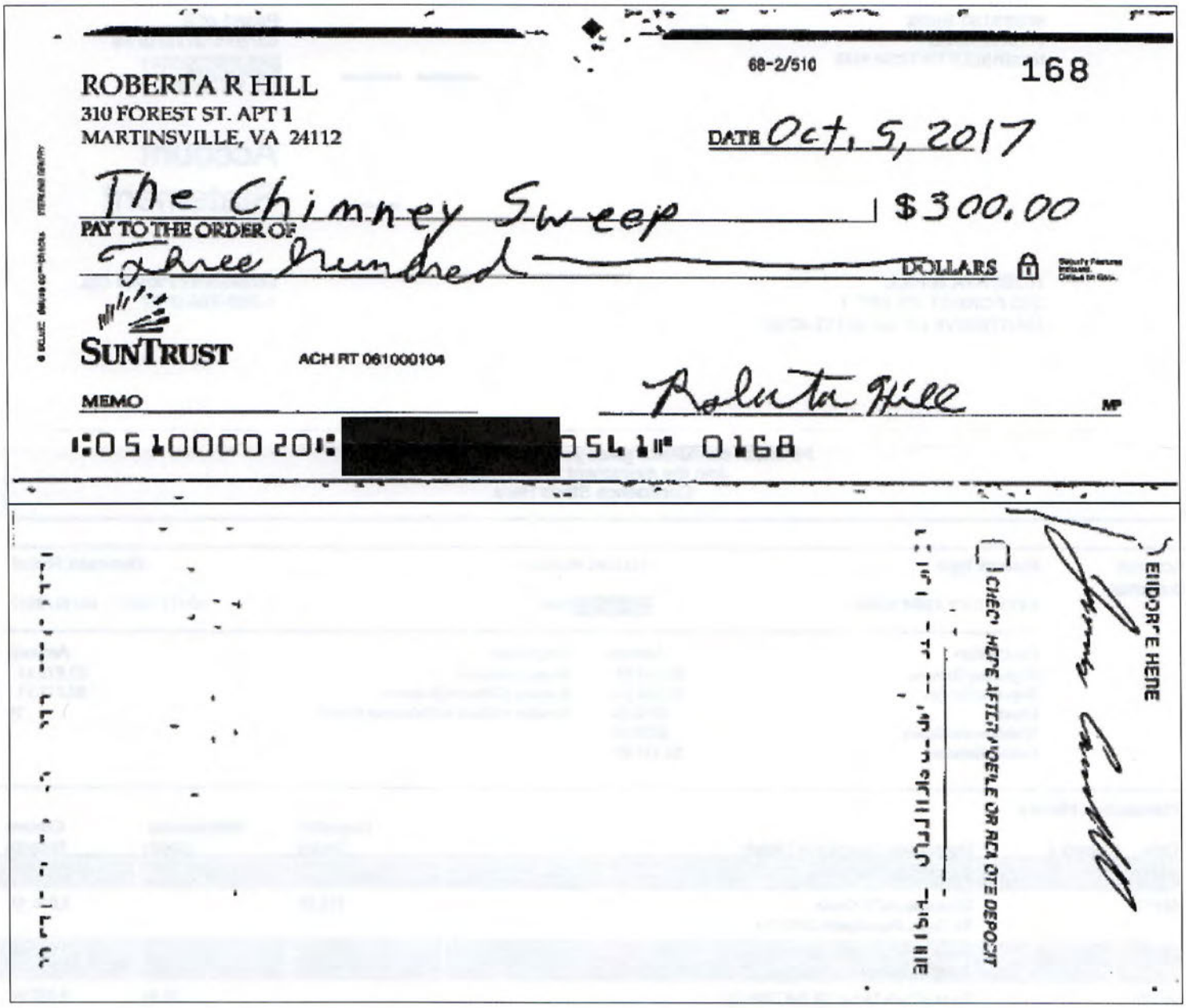
Kathy Bowles

Kathy Bowles
Assistant Vice President, Client Resolution Senior Specialist
Consumer Regulatory & Executive Services Team

Enclosures

Copies to: Consumer Financial Protection Bureau
Federal Deposit Insurance Corporation

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ROBERTA R HILL
310 FOREST ST. APT 1
MARTINSVILLE, VA 24112

68-2/510

168

DATE Oct. 5, 2017

PAY TO THE ORDER OF The Chimney Sweep $300.00

Three Hundred DOLLARS

SUNTRUST ACH RT 061000104

MEMO

Roberta Hill

⑆051000020⑆ [redacted] 0541" 0168

ENDORSE HERE

CHECK HERE AFTER MOBILE OR REMOTE DEPOSIT

Account Statement

Transaction History

Date	Check #	Transaction Description Details	Deposits/ Credits	Withdrawals/ Debits	Current Balance
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10/06		Point of Sale Debit TR DATE10/06 Amazon.Com Seattle Wa 00000101		80.63	
10/06	168	Check		300.00	3,343.27
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10/10	167	Check		325.00	2,682.83
10/11		Electronic/ACH Debit UtilityGas Compan 38171		22.81	2,660.02
10/12		Check Card Purchase TR DATE10/12 Tracfone *Services Tracfone.Com Fl		9.63	
10/12		Point of Sale Debit TR DATE10/10 Amazon.Com Seattle Wa 00000100		188.35	2,462.04
10/13		Electronic/ACH Debit Capital One Online Pmt Ckf784798608pos		5.49	2,456.55
10/18		Electronic/ACH Debit Comcast Online Pmt Ckf784798608pos		144.69	2,311.86
10/19		Ending Balance			2,311.86
		Credit and Debit Totals	$1,508.18	$1,540.34	

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09/25	3,081.88	3,081.88	10/10	2,682.83	2,682.83
09/27	3,052.94	3,052.94	10/11	2,660.02	2,660.02
09/29	3,110.80	3,110.80	10/12	2,462.04	2,462.04
10/02	3,049.76	3,049.76	10/13	2,456.55	2,456.55
10/03	3,029.86	3,029.86	10/18	2,311.86	2,311.86

Live confidently knowing that you're prepared for what comes your way. When you have the right savings plan, life's opportunities are a cause for celebration, not calculation. Plan today for an exciting tomorrow.
Go to suntrust.com/save, call 800.322.3158 or visit your local branch to get started.
SunTrust Bank, Member FDIC.

Subject: Re: FW: 953850 Mr. Brian D. Hill VS The Chimney Sweep, PHOTOCOPY OF SIGNED CHECK, CASSELL SIGNED CHECK
From: ROBERTA HILL <rbhill67@comcast.net>
Date: 8/25/2022, 10:17 PM
To: "Davis, Demetrice A." <DADavis@oag.state.va.us>
CC: Kenstella <kenstella@comcast.net>, "kenstella2005@comcast.net" <kenstella2005@comcast.net>, "stanleybolten@justiceforuswgo.nl" <stanleybolten@justiceforuswgo.nl>, Lin Wood <lwood@linwoodlaw.com>

Here is the evidence, not all of it, but the most important evidence which the Attorney General can use for criminal investigations into The Chimney Sweep or the State Police should start up an investigation depending on the level of crimes here. They can still resolve this complaint by admitting to they're own mistake on October 5, 2017 of installing metal tin causing my son and I to suffer months and months of gas poisoning. Your office also is involved with the Criminal Appellate Section on three ongoing appeals on a judge denying my son's request for a new trial or judgment of acquittal in my son's criminal case, and his dismissed Petition for Writ of Innocence because he is innocent and he has the solid evidence proving he is innocent (not being medically cleared as previously assumed by police). He will at at some point be filing with the Circuit Court this new evidence of the more solid evidence he is innocent of his conviction. The Chimney Sweep are the beginning of all of this, they caused the issues which caused my son to run away from home then running naked on a deserted walking trail at night then was hospitalized but lab tests were never completed despite medicaid being billed for procedure partially conducted.

The Chimney Sweep is the fault of all of this but the paragraph below is briefly on what had happened. After the paragraphs, see the relevance and issues caused by The Chimney Sweep as to why this is very important and must be resolved either by The Chimney Sweep or investigate thoroughly by the Department of State Police through criminal referral. My son plans on filing a report or multiple reports with the State Police if necessary to have his indecent exposure conviction done away with as he has solid evidence that he didn't have back in 2018 when he was arrested. He didn't have this evidence and his lawyer refused to investigate any of it, he was just like Eric Placke, he just doesn't do anything. The Chimney Sweep is the fault for this, but they didn't make him go out there naked, but they caused the carbon monoxide gas by installing the metal tin on top of my Triplex chimney flues. Carbon monoxide poisoning can cause indecent exposure, it can cause somebody with autism to see hallucinations of a man in a hoodie threatening him to get naked and run around a deserted walking trail at night. It was carbon monoxide, it was a medical emergency and not a crime.

My son Brian David Hill was charged on September 21, 2018 with indecent exposure. He was reportedly running around between 2-3AM around a deserted walking trail at night. He has autism and that is in the Department of Motor Vehicles handicap system from a medical doctor. He has diabetes but the police officer admitted under oath that he never knew Brian Hill was diabetic, but that would be because he was out of it, he was not in his right mind at that time due to the carbon monoxide. A vehicle around Hooker Street where the Dick and Willie walking trail was near a small road, a vehicle saw him and reported that a naked male was running. He didn't stop and masturbate, he didn't do any of that when I read my son's affidavits also filed in the Circuit Court. He has type one brittle diabetes. My son said his memories were blacked out, he suspected he was drugged. He told the court he thought he was drugged in writing but nobody ever conducted completed laboratory tests, he could have been injected with some street drug and they never checked him for drugs????

The hospital did not conduct any laboratory testings, they billed Medicaid for drawing blood from my son's arm but wasted the blood, Medicaid fraud or waste. **They ordered (from medical record page) what we believe may be drug tests, and they were lab tests, but we believe at the beginning they wanted to determine if he was on any illegal drugs or anything but the lab results were deleted from the chart without a valid explanation why. That is currently under criminal or civil investigation with the Department of Health Professions.** The U.S. Probation Office may be conducting it's own criminal investigation into the medical neglect and destruction of evidence and doctor lying to the local police. Officer Robert Jones of Martinsville Police was questioned under oath for a probation hearing, he said they usually do lab work and other stuff and assumed Brian Hill was medically and psychologically cleared. It is unlawful for false information to be in a police criminal investigation report. The false information was that "he was medically and psychologically cleared". Medicaid was billed for procedures not completed, lab work after blood drawn and billed to Medicaid. **The lab tests could have shown carbon monoxide gas poisoning caused by The Chimney Sweep since October 5, 2017. After they sealed the chimney flues, my son started saying he couldn't think straight, hit his head on the desk with blood coming out of his forehead, and ambulance services showed up taking a photograph of his bloody wound while blood was on the bed he was laying on, in November, 2017.** Months later my son kept complaining that he couldn't think straight and kept having diarrhea that went nonstop. He took hours for repeatedly washing his clothes while they were on his body, washing his body, had soap suds on his clothes and his probation officer saw that and thought he was mentally losing it. My son was diagnosed with a psychosis a month after he was arrested. The court never knew about the psychosis and was never informed during the General District Court proceedings. The court was misled and we were misled, and that was why my son was convicted. The police were misled. **The truth is we believe it was carbon monoxide gas poisoning since October 5, 2017, which caused all the different issues between then and the date of his arrest. Even after his arrest he was still writing weird paranoid things and made no sense in his writings. He said he kept his doors unlocked and was afraid to sleep in his bed. Claimed somebody was observing him in the thicket in the neighbor's yard. Case no. CR1900009-00. Appeals actively under 0290-22-3, 0289-22-3, and SCV of CAV no. 0173-22-3.**

As to The Chimney Sweep, they had denied ever conducting any chimney work or estimate for the residence of 310 Forest Street, Martinsville, VA 24112.

The Chimney Sweep also denied having any record of the chimney work done. Yet this month me and my son received from TRUIST bank the signed check by Cassell, meaning that Cassell and The Chimney Sweep was paid $300 for chimney work they denied ever doing and denied ever conducting an estimate despite me having phone records from Comcast/xFinity proving that a phone number belonging to James Cassell, father of JaCody Cassell had been in touch with me multiple times in September and October, 2017. Those are in the records of this Dispute Resolution Unit case.

See attachment: "Scan_13-06-2019_2359.pdf". Also see: "2017-9-27--1056AM.mp3". At the time I had called multiple chimney services in 2017 because of chimney swifts which are birds had gone into our chimney in 2016. My son lives in Apartment 2. He heard bird sounds from the fireplace connected to our chimney in 2016, they were the chimney swifts. The voicemail from Karen Compton of ACE Chimney, “2017-9-27--1056AM.mp3”, she did try reach back to me about the "chimney cap". That was why I had asked The Chimney Sweep for an estimate. I called them around September 26, 2017. See attachment: "2.28-7-1-2022-Call History October 23 2017 4_50AM (pages 1-5 excerpt records)(2).pdf". They have a logo for their business with the phone number, the same phone number as the phone records.

They lied to the Attorney General office about not ever providing an estimate but they had a phone call with me over 3 minutes in length. Can be verified with xFinity/Comcast by subpoena depending on how long they retain phone call records. They lied about providing no service because of $300 check signed by Cassell himself. So he has lied to your office by and through his attorney Eric Ferguson.

Now with their response to my son's complaint they are claiming they never did service but received $300 signed by Cassell when he cashed in my check. They denied everything including ever providing service in response to my son's complaint giving them a copy of his arrest warrant, Pete Compton witness letter, medical records, and my son is blaming them since 2019 for the carbon monoxide gas poisoning which he believes had caused his indecent exposure. It can cause psychosis, hallucinations, Sinus Tachycardia (found in November, 2017 medical record), abnormal WBC, abnormal MPV-Mean Platelet Volume.

Here is what I am willing to say under affidavit about The Chimney Sweep if needed from the State Police or Attorney General:

1. I am Roberta Hill. I live in Apartment 1, 310 Forest Street, Martinsville, VA 24112. My son lives below my apartment, in Apartment 2. The hot water heater and big radiator heating system is below Apartment 2. Both systems use natural gas heating. They ventilate through the chimney flue or flues. We call it the Triplex because it has three apartments stacked on top of the other. The third has an apartment and then the radiator and hot water heater below my son's apartment.

2. Around September 26, 2017, I was contacting chimney services for them to place a chimney cap or screening to prevent the birds from flying into the chimney of the Triplex. See 2017-9-27--1056AM.mp3. Karen Compton also was aware in 2017 that I had been interested in looking for a chimney cap or some kind of screen to protect our chimney from those birds. I had called The Chimney Sweep on September 26, 2017. Around October 5, 2017, there had been some phone exchanges in the phone logs because that was the date they had scheduled an appointment with me to come by the house.

3. October 5, 2017, I believe it was the young son of that chimney company, cannot say for a complete fact whether it was JaCody Cassell or not as it was almost five years ago. They installed something and the chimney swifts didn't come into the chimney that year. I paid $300 to The Chimney Sweep after they did their work on that chimney. I never contracted services from any other chimney service after when in October 5, 2017 the The Chimney Sweep had finished their job. I did not contract chimney work after The Chimney Sweep in October 5, 2017, until I had asked ACE Chimney Service which employed a service man named Pete Compton to come over in January, 2019. See Scan_13-06-2019_2359.pdf. Prior to ACE Chimney, I had somebody else hired to do work on why water damage was coming into my son's apartment even after my son was arrested. I think that had costed over a thousand dollars I believe. We thought it was foundation issues until later finding out about the carbon monoxide. We thought that it had something to do with the foundation and wasted money on foundation work because it didn't cure the problem which was the carbon monoxide.

4. My son started complaining that he couldn't think straight, didn't want to do things he had planned to work on. He had constant diarrhea and thought it was candida fungus in his stomach but got a colonoscopy I think in maybe 2018. Brian said he spoke with his gastroenterologist doctor and they said he had no candida. The only issues found was the acid reflex being extreme to the point where he had to be on acid reflex medication, some kind of medication temporarily. He still had constant diarrhea. He thought it was the stress of his criminal case in him trying to have it

overturned on actual innocence, his 1st 2255 case. He kept paying a lot of money to buy probiotics and used his EBT money to buy these probiotic cultures. His diarrhea had gotten worse afterwards, and he tried different probiotics cultures. He tried alternative medicine to get rid of candida yeast fungus. My son knows that it was the carbon monoxide why he kept having really bad diarrhea in late 2017, and then throughout 2018 until my son's arrest.

5. In 2018, His U.S. probation officer Jason McMurray of Roanoke had concerns with me and my son Brian David Hill. He saw damage in his ceiling in his Apartment (Apartment 2). Brian had a Jesus Christ wood art on his wall at one point beside the door and right beside the fireplace (where the carbon monoxide was coming out) and it fell from the wall towards the floor but fell on furniture. Other things started looking like they wanted to fall off the wall. Wall had what appeared to be like it was crying tears and it coming down in the wall. The ceiling started breaking apart as each month went by. Part of the ceiling collapsed and had to be redone. Lots of money was spent repairing the damage caused by the carbon monoxide gas.

6. In 2018, I saw my son in the backyard giving weird looks like he didn't act right, he acted like he wasn't himself. Carilion Clinic also did lab work and saw weird abnormal levels in my son's blood in July 31, 2018 according to medical records I reviewed with my son. My son didn't act right. Kept sleeping on my couch which he had not done before, didn't want to go to his own bed. His bowel movements were so bad with his OCD routines where he kept washing his bands for hours, he couldn't take it and kept sleeping on my couch a lot, playing video games then sleeping on my couch in Apartment 1. I had to keep getting onto him about that then at a later time he slept on my couch again. He said in affidavit (2018) that he was afraid to sleep in his own bed but kept the doors unlocked downstairs. Almost as if he wanted to run away from home from something he didn't know what it was. IT WAS CARBON MONOXIDE.

7. After hearing about my son being arrested, I thought it was weird for my son to walk out of the house at night for hours, taking photos of himself. He acted like he was drunk or somebody may have given him drugs.The hospital never completed the ordered lab tests. I reviewed over the medical records from that time with my son which is how I know. We will never know if he was on fentanyl, bath salts, any of those weird drugs. Somebody could have just influenced him that night while he was walking as he has autism and can be manipulated by others into easily comply with demands. Once we found out about the carbon monoxide, my son was back home on bond conditions after the US Court ordered his release in May 2019. I trusted my son afterwards and he was never been charged with indecent exposure afterwards, was never accused of it again. He had not done it before, I feel like carbon monoxide is the truth, it is more provable than some kind wearing a hoodie.

8. In January, 2019, Pete Compton had us look at the white residue on the chimney, white residue in the fireplaces. I think he insisted to us that he could not leave the residence until he removed the carbon monoxide issue. He said it felt hot, the metal tin placed on the chimney flues. He said metal tin was placed on those chimney flues, never seen anything like that as far as he was aware of. The only chimney business which was hired prior to Pete Compton was The Chimney Sweep in October 5, 2017. We paid for gas fire logs and the gas logs may not work anymore as it has been damaged by moisture, that evidence is still in the fireplaces for State Police to use as evidence of the carbon monoxide gas caused by The Chimney Sweep. We paid a lot for remote controlled gas logs to give a little more heat and pretty gas fire on fake logs. Now they are damaged by the water damage caused by the Carbon Monoxide. They are not safe to operate in my opinion.

9. I and my son Brian Hill, Stella and Kenneth Forinash all believe that carbon monoxide had caused my son's indecent exposure. My son never exhibited that behavior since his arrest and

release on bond in May, 2019. He never exhibited that behavior prior to September 21, 2018. We all believe it was carbon monoxide gas poisoning.

10. We want The Chimney Sweep to be held accountable if they will not voluntarily admit to their human error. They made a mistake, installing the metal tin on top of the chimney. I felt they are the ones at fault for my son's indecent exposure charge. I knew something was wrong with my son in 2018, but I didn't know what it was. I wish I had known, I would have had me and my son move temporarily into a motel or his grandparents home if we had known that carbon monoxide was in the home. We would have stopped it earlier if we had known, and my son never would have been charged and convicted of indecent exposure in Virginia.

They denied ever providing a service in response to Brian's complaint but I paid him $300. I don't remember ever receiving any contract copy or paper from them, just paid them the $300 for the service not knowing at the time that it was important to have such paperwork. They didn't provide the estimate paperwork, I didn't realize that maybe they should have done that or were supposed to do that.

Since The Chimney Sweep don't want to admit responsibility for causing the carbon monoxide gas causing my son to be found naked running in the middle of the night, they have reportedly written through lawyer Eric Ferguson to one of the Attorney General offices that they never provided a service and never gave an estimate. Was paid $300 for what they was reported was over nothing. That may be tax fraud or business fraud. It may be criminal neglect. Anyways, if the $300 was paid for a service that had never existed, then fraud had happened, by their own words, fraud of paying for a service that they said had never happened.

If they are continuing to repeatedly deny ever conducting a service for $300 paid to them, the State Police can investigate them for a number of things. Why was $300 paid to them??? Was it reported in the income tax forms??? Was that income by JaCody Cassell by and through his business reported in the tax reporting???

If he is willing to continue denying ever providing a service but got paid $300, no record ever existing, then did The Chimney Sweep receive $300 under the table without reporting that income which means that the State Police could investigate them for possible tax misreporting or tax fraud. They didn't keep records that pertained to their business operations as far back as 2017 in case of any IRS audits or any record audits.

My son also faxed the Henry County Fire Marshals (also over Martinsville) in September, 2019 complaining about this business and asking for an investigation but we were never asked questions about this businesses conduct and what they did on October 5, 2017.

As to me and my son Brian David Hill, we want JaCody Cassell to just accept responsibility of causing metal tin to be installed on top of the chimney flues at my Triplex at 310 Forest Street, Martinsville, VA. The Resolution we seek is either that The Chimney Sweep accepts responsibility and admits in affidavit and under oath to their human error or misdoings about October 5, 2017, that they did install metal tin causing blocked flow of natural gas appliances exhaust. It had caused carbon monoxide damage in Apartment 2, and had caused white residue in fireplaces. It damaged remote controlled gas fire logs in both fireplaces. The State Police can take photographs of the fire log devices which were damaged by the carbon monoxide. If we had used the gas

fire logs at the wrong time during the carbon monoxide gas flowing, it could have exploded the Triplex, who knows!!! That the carbon monoxide gas of natural gas had caused my son's medical accident in November, 2017, where he had to had staples on his forehead because of blood pouring out of his forehead, lacerations. Sinus Tachycardia found at the hospital. Sinus Tachycardia can be caused by exposure to carbon monoxide. After what Pete Compton had told me, Stella Forinash, and Kennneth Forinash, we believe my son fainted in his office, fell and hit his head due to the level of carbon monoxide where he could have died.

We want resolution, we want JaCody Cassell and his business to accept responsibility and write an affidavit to the Judge Giles Carter Greer, write an affidavit to the Circuit Court clerk, to Mr. Hill, and to the Commonwealth's Attorney named Glen Andrew Hall. They should all receive affidavits from Mr. Cassell about what his business had done to us, about the installing of metal tin on October 5, 2017.

We want JaCody Cassell to accept responsibility or for one of his employees who installed the metal tin on top of the chimney to accept responsibility, whoever at his business had done the deed should write an affidavit. He should accept responsibility for installing metal tin on top of the chimney flues on October 5, 2017, and never really checked into the gas appliances that may use those flues before installing the metal tin. They could have done a better job. We we not told it was being completely sealed up that day. I admit I should have asked them more questions but they are supposed to be the licensed experts. Why did JaCody Cassell never asked me about the gas appliances being connected to the chimney they sealed up and why did he not check to see the exhaust coming out of the flues???

That caused the carbon monoxide and my son's wrongful conviction concerning cases no. CR1900009-00. Appeals actively under 0290-22-3, 0289-22-3, and SCV of CAV no. 0173-22-3.

If The Chimney Sweep continues refusing to accept responsibility and refuses to testify in his criminal and Habeas Corpus case, I would like to request that the Office of the Attorney General refer this matter to the Department of State Police for a criminal investigation, and that the State Police should conduct an investigation into The Chimney Sweep in the matter of Martinsville Police criminal complaint in the General District Court which became Circuit Court case no. CR1900009-00. The Chimney Sweep should be part of the criminal investigation by the Virginia State Police.

The things the State Police can investigate The Chimney Sweep for are the following possible

criminal acts:

1. Criminal neglect of almost killing and damaging Brian David Hill and Roberta Hill with carbon monoxide gas first caused by human error but when they learned of their error, they denied ever providing a service when responding to the Dispute Resolution Unit of the Attorney General when the bank had records of Cassell signing a $300 check. Denying ever providing an estimate even after telephone records were provided to the Attorney General's Dispute Resolution Unit and a copy to lawyer Eric Ferguson.

2. Possibly business fraud or destruction of business records which could go down a slippery slope into possibly working under the table aka possibly tax fraud or bank fraud or any kind of fraud it could possibly be concerning. There is some form of fraud, whether it be illegal or legal, it is up to Virginia statutes and how they are interpreted by the courts.

3. Licensed business and/or contractors are usually supposed to be experts and being given expert training. They are supposed to have basic knowledge of carbon monoxide gas and how it can happen when conducting chimney work. They didn't know the consequences of installing a metal tin on top of chimney flues with exhaust of natural gas appliances. Didn't know or understood what installing a metal tin could do to a home or to the people inside.

4. Possibly code violations or infractions.

They have the chance to resolve this before my son wishes to pursue criminal charges against The Chimney Sweep. My son feels if he is to be forever convicted of indecent exposure for being a victim of carbon monoxide and being a victim of the liar JaCody Cassell, my son wants criminal charges against JaCody Cassell and the entire business. My son wants them to be held accountable for what had caused the indecent exposure charge and wrongful conviction. My son says he wants justice or justice. He wants justice, he rather have justice for the bad things which were done to him. He wants JaCody Cassell arrested on whatever crimes he committed where Brian Hill is the victim and The Chimney Sweep being the sole cause of the carbon monoxide. Brian wants him arrested if he continually refuses to accept what his business did and refuses to ever tell The Court and the prosecutor what they did on October 5, 2017.

Brian wants them to file testimony or witness letters with the court on their conduct on October 5, 2017, on installing the metal tin. Brian wants them to do that and he will let it go, he will not pursue criminal charges, but Brian is ready to push for criminal charges as soon as possible to get his life back after he works on pending legal pro se paperwork. He has a new motion or two motions he will file asking for new trial and will likely have to file two more appeals in the Court of Appeals of Virginia. My son will ask two or three more times for a new trial on new evidence he acquires. He is innocent of indecent exposure. JaCody Cassell is on notice that my son wants criminal charges against him for causing the carbon monoxide which made him leave home on September 20, 2018, and was arrested on September 21, 2018.

Thanks,
Roberta Hill
310 Forest Street, Apt. 1, Martinsville, VA 24112.

on behalf of Brian David Hill
310 Forest Street, Apt. 2, Martinsville, VA 24112.

On 08/24/2022 9:44 AM Davis, Demetrice A. <dadavis@oag.state.va.us> wrote:

Dear Mrs. Hill,

This email is to advise you that your complaint has been re-assigned to my attention. Aaron Ziglar will be out of the office on extended leave; however, he did forward the new information that you provided to Mr. Ferguson (see the below email). Please feel free to contact me if you have any questions or concerns.

I see that you have copied others here at the Attorney General's Office regarding your son's complaint. Do you currently have a criminal case that our office is involved in? I do not work in that section so I do not have access to that information.

Thank you,

Demetrice A. Davis | Unit Manager, CIRU and DRU
Office of the Attorney General
202 North 9th Street
Richmond, Virginia 23219
O: (804) 786-1304 | M: | F:
DADavis@oag.state.va.us
https://www.oag.state.va.us

From: Ziglar, Aaron M. <AZiglar@oag.state.va.us>
Sent: Friday, August 19, 2022 10:48 AM
To: eferguson@fergusonlaw.net
Cc: Davis, Demetrice A. <DADavis@oag.state.va.us>
Subject: RE: 953850 Mr. Brian D. Hill VS The Chimney Sweep, PHOTOCOPY OF SIGNED CHECK, CASSELL SIGNED CHECK
Importance: High

Dear Mr. Hill/Mr. Ferguson,

Thank you for authorizing the Virginia Attorney General's Office to assist in the resolution of your dispute. Our Office has received the below written response from the business to your complaint. Please review it carefully and, if you would like to provide a response, please do so in writing within ten (10) business days from the date of this email.

In the event I fail to hear from you in writing within ten business days, the complaint will be closed and no further action will be taken. **Please note that I will be on an extended leave of absence from the office after today. Please direct any questions or written correspondence to Demetrice Davis. Her email address is DADavis@oag.state.va.us and her telephone number is (804) 786-1304.**

This Office will retain the complaint form and copies of all official correspondence regarding the complaint in accordance with the applicable state retention schedule. Under the Virginia Freedom of Information Act, please be advised that these materials will be available to the public for review, upon request.

If you have any additional information or need further assistance, please feel free to contact me or respond to this message.

Sincerely,

Office of the Attorney General

Aaron M. Ziglar | Dispute Resolution Specialist
Office of the Attorney General
202 North 9th Street
Richmond, Virginia 23219
O: (804) 786-1244 | M: | F:
AZiglar@oag.state.va.us
https://www.oag.state.va.us

From: ROBERTA HILL <rbhill67@comcast.net>
Sent: Monday, August 15, 2022 10:28 PM
To: Ziglar, Aaron M. <AZiglar@oag.state.va.us>; eferguson@fergusonlaw.net; Coen, Chris <ccoen@oag.state.va.us>; OAGCriminalLitigation <OAGCriminalLitigation@oag.state.va.us>
Cc: Ken & Stella Forinash <kenstella@comcast.net>; kenstella2005@comcast.net; stanleybolten@justiceforuswgo.nl
Subject: Re: 953850 Mr. Brian D. Hill VS The Chimney Sweep, PHOTOCOPY OF SIGNED CHECK,

CASSELL SIGNED CHECK
Importance: High

Photocopy of check signed by Mr. Cassell, photocopy from TRUIST Bank after weeks of research the bank needed as per my request. Brian will be filing a new complaint against Mr. Cassell for lying to the Attorney General to dismiss a complaint with factual issues of carbon monoxide gas caused by metal tin being placed on chimney flues by denying everything to the extent where there is lying, with proof that Eric Ferguson and JaCody Cassell lied to the Office of the Attorney General. Lied by claiming never did any work/service or estimate for the Hills. $300 check was signed for by Cassell. His signature in cursive writing does show his signature.

By denying ever conducting any service or estimate, $300 was assumed to have been paid for absolutely nothing. That is business fraud, $300 paid for nothing. TRUIST has the records.

A new complaint will be filed by Brian Hill with the evidence proving that JaCody Cassell lied through his attorney, that may be fraud.

See Virginia Code, Chapter 6. Crimes Involving Fraud, § 18.2-178. Obtaining money or signature, etc., by false pretense.

Since $300 was paid for no service since JaCody Cassell denied everything, then $300 was paid for no service, therefore **if Cassell wishes to continue denying, then $300 was paid for no service which may be a false pretense. It is your choice Eric Ferguson and JaCody Cassell, if you wish to continue denying that any service was ever done, continue denying any estimate, well then I paid $300 for nothing to you and that isn't true. That may be considered business fraud depending on how the laws are interpreted.**

The U.S. Probation Office may also receive this evidence to conduct their own investigation, the State Police may receive a copy. It is

time for Brian David Hill to be acquitted of his state charge of indecent exposure, Brian David Hill = Innocence.

-------- Forwarded Message --------

Subject: Re: 953850 Mr. Brian D. Hill VS The Chimney Sweep
Date: Tue, 12 Jul 2022 14:24:35 +0000
From: Ziglar, Aaron M. <AZiglar@oag.state.va.us>
To:ROBERTA HILL <rbhill67@comcast.net>

CITATION:

The only thing I am interested in is if The Chimney Sweep did any work for them in 2017. If they have a check, then produce it. If not, then drop this matter.

Attachments:

2017-9-27--1056AM.mp3	55.8 KB
Scan_13-06-2019_2359.pdf	4.1 MB
2.28-7-1-2022-Call History October 23 2017 4_50AM (pages 1-5 excerpt records) (2).pdf	313 KB

AUDIO FILE

8-25-2022-2017-9-27--1056AM.mp3 attached in pdf

https://web.archive.org/web/20220903022341/https://justiceforuswgo.nl/audio/8-25-2022-2017-9-27--1056AM.mp3

To Whom This May Concern:

On January 30, 2019 I went to the house at 310 Forest St., Martinsville, Va 24112 to measure and give a price for a Chimney cover. Roberta Hill and her parents: Ken & Stella Forinash escorted me to Apt 1 to show me the fireplace which had a small amount of white residue inside, no damage to the ceiling and wall around the fireplace. They then escorted me downstairs to Apt 2 where parts of the ceiling above the fireplace had fallen and there was a lot of damage in the remaining ceiling below the hearth of the fireplace in apt 1 located above apt 2 and a lot of damage along the wall in apt 2 above and on both sides of the fireplace as well as a lot of white residue inside of the fireplace. After this, we went down another flight of stairs to the basement where the gas boiler heater and the gas hot water heater were located to show me that there would be 3 holes in the chimney.

I then went outside and got my ladder to measure the chimney. This was when I found out that all 3 holes were covered with tin. Knowing that the gas boiler heater & gas hot water heater needed to be vented at all times, I immediately removed the tin covering the hole so carbon monoxide would no longer go through the house. Ms Hill had informed me that she had called a chimney sweep in Rocky Mount, VA in October, 2017 to clean the chimney and to put screen on all holes after the family spotted birds going into their fireplace the year before. In my 25 years of doing this type of work, this was the first time I have ever seen tin covering holes where it is important to vent gas heaters. I showed the family the tin I had just removed and had them to climb my ladder to look at the chimney. We then went back in the house, and I informed them that the white residue inside both fireplaces was from the gas that had no other place to escape and informed them that they had been exposed to carbon monoxide ~~poisoning~~ GAS, but now that the tin had been removed, there should no longer be any problems. I returned to the house on February 4, 2019 and installed a stainless steel multifaceted chimney cap vented with screen on all 4 sides. EPC

Signed as a witness on this date: Kenneth R. Forinash 6-13-19

Elmer P. Compton Jr 6-13-19

Pete Compton ACE Chimney & Wildlife; Bassett, VA

Phone 276-629-4453

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Signed as a witness on this date: Kenneth R. Forinash 6-13-19

Elmer P. Compton III 6-13-19

Pete Compton ACE Chimney & Wildlife; Bassett, VA

Phone 276-629-4453



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Signed as a witness on this date: Kenneth R. Forinash 6-13-19

Elmo P. Compton III 6-13-19

Pete Compton ACE Chimney & Wildlife; Bassett, VA

Phone 276-629-4453



Call History xfinity connect

(276) 790-3505
Rbhill67@comcast.net

Name	PhoneNumber	Duration	Time	Date		
WATSON BETTY	(336) 681-0304	0s	MISSED	11:20 PM EST	Sun.	Oct 22, 2017
WATSON BETTY	(336) 681-0304	27s	RECEIVED	11:20 PM EST	Sun.	Oct 22, 2017
UNKNOWN	(336) 681-0304	10s	PLACED	11:19 PM EST	Sun.	Oct 22, 2017
UNKNOWN	(276) 632-2599	16m 26s	PLACED	10:58 PM EST	Sun.	Oct 22, 2017
UNKNOWN	(336) 358-1314	0s	PLACED	10:57 PM EST	Sun.	Oct 22, 2017
UNKNOWN	(336) 954-3856	7s	PLACED	10:56 PM EST	Sun.	Oct 22, 2017
UNKNOWN	(336) 375-8888	0s	PLACED	10:55 PM EST	Sun.	Oct 22, 2017
UNKNOWN	(336) 617-7932	0s	PLACED	10:53 PM EST	Sun.	Oct 22, 2017
UNKNOWN	(800) 743-6179	60s	PLACED	7:54 PM EST	Sat.	Oct 21, 2017
TLC	(636) 534-2384	10s	RECEIVED	9:51 AM EST	Sat.	Oct 21, 2017
TLC	(636) 534-2384	0s	MISSED	9:51 AM EST	Sat.	Oct 21, 2017
UNKNOWN	(276) 632-2599	19m 22s	PLACED	9:41 PM EST	Fri.	Oct 20, 2017
UNKNOWN	(336) 333-5005	2m 16s	PLACED	9:19 PM EST	Fri.	Oct 20, 2017
UNKNOWN	(336) 333-5005	2m 30s	PLACED	9:15 PM EST	Fri.	Oct 20, 2017
UNKNOWN	(202) 262-3034	5s	PLACED	8:01 PM EST	Fri.	Oct 20, 2017
UNKNOWN	(424) 288-0650	4m 16s	PLACED	7:56 PM EST	Fri.	Oct 20, 2017
UNKNOWN	(512) 998-4705	3m 25s	PLACED	7:51 PM EST	Fri.	Oct 20, 2017
UNKNOWN	(512) 998-4705	6s	PLACED	7:50 PM EST	Fri.	Oct 20, 2017
UNKNOWN	(512) 825-7826	16s	PLACED	7:50 PM EST	Fri.	Oct 20, 2017
UNKNOWN	(773) 837-8300	6s	PLACED	7:49 PM EST	Fri.	Oct 20, 2017
UNKNOWN	(707) 540-1473	2s	PLACED	7:48 PM EST	Fri.	Oct 20, 2017
UNKNOWN	(202) 262-3034	3s	PLACED	7:46 PM EST	Fri.	Oct 20, 2017
UNKNOWN	(202) 262-3034	10s	PLACED	7:45 PM EST	Fri.	Oct 20, 2017
UNKNOWN	(202) 262-3034	7s	PLACED	7:45 PM EST	Fri.	Oct 20, 2017
TLC	(636) 534-2384	10s	RECEIVED	6:29 PM EST	Fri.	Oct 20, 2017
TLC	(636) 534-2384	0s	MISSED	6:29 PM EST	Fri.	Oct 20, 2017
UNKNOWN	(276) 632-2599	24m 12s	PLACED	9:26 PM EST	Thu.	Oct 19, 2017
UNKNOWN	(276) 632-2599	2m 49s	PLACED	9:22 PM EST	Thu.	Oct 19, 2017
UNKNOWN	(276) 632-2599	48m 56s	PLACED	6:59 PM EST	Thu.	Oct 19, 2017
TLC	(636) 534-2384	0s	MISSED	10:27 AM EST	Thu.	Oct 19, 2017
TLC	(636) 534-2384	3s	RECEIVED	10:27 AM EST	Thu.	Oct 19, 2017
TLC	(636) 534-2384	0s	MISSED	4:32 PM EST	Wed.	Oct 18, 2017
TLC	(636) 534-2384	0s	MISSED	9:13 AM EST	Wed.	Oct 18, 2017
TLC	(636) 534-2384	18s	RECEIVED	9:13 AM EST	Wed.	Oct 18, 2017
TLC	(636) 534-2384	36s	RECEIVED	7:13 PM EST	Tue.	Oct 17, 2017
TLC	(636) 534-2384	0s	MISSED	7:13 PM EST	Tue.	Oct 17, 2017
WIRELESS CALLER	(209) 518-3036	0s	MISSED	4:41 PM EST	Mon.	Oct 16, 2017
UNKNOWN	(919) 962-6136	15m 15s	PLACED	4:21 PM EST	Mon.	Oct 16, 2017
UNKNOWN	(919) 962-7765	12m 44s	PLACED	4:03 PM EST	Mon.	Oct 16, 2017
FORNASH KENNETH	(276) 632-2599	1m 3s	RECEIVED	10:04 AM EST	Sun.	Oct 15, 2017

3374

Name	PhoneNumber	Duration	Time	Date		
ROB DE	(512) 825-7826	9s	RECEIVED	1:56 PM EST	Sat.	Oct 14, 2017
ROB DE	(512) 825-7826	0s	MISSED	1:56 PM EST	Sat.	Oct 14, 2017
UNKNOWN	(512) 825-7826	3s	PLACED	11:49 PM EST	Fri.	Oct 13, 2017
WIRELESS CALLER	(315) 690-9176	0s	MISSED	4:23 PM EST	Fri.	Oct 13, 2017
FORNASH KENNETH	(276) 632-2599	17m 26s	RECEIVED	10:26 AM EST	Fri.	Oct 13, 2017
FORNASH KENNETH	(276) 632-2599	14m 40s	RECEIVED	9:29 AM EST	Fri.	Oct 13, 2017
UNKNOWN	(512) 363-3281	3m 18s	PLACED	7:32 PM EST	Wed.	Oct 11, 2017
UNKNOWN	(512) 825-7826	3m 28s	PLACED	7:26 PM EST	Wed.	Oct 11, 2017
UNKNOWN	(540) 598-0440	1m 47s	PLACED	3:58 PM EST	Wed.	Oct 11, 2017
FORNASH KENNETH	(276) 632-2599	8m 48s	RECEIVED	8:54 AM EST	Wed.	Oct 11, 2017
UNKNOWN	(315) 673-7198	8s	PLACED	9:37 PM EST	Tue.	Oct 10, 2017
UNKNOWN	(202) 646-5172	20s	PLACED	9:35 PM EST	Tue.	Oct 10, 2017
UNKNOWN	(276) 632-2599	45m 18s	PLACED	4:15 PM EST	Tue.	Oct 10, 2017
UNKNOWN	(540) 598-0440	1m 4s	PLACED	2:53 PM EST	Tue.	Oct 10, 2017
UNKNOWN	(276) 632-2599	28m 20s	PLACED	10:00 PM EST	Mon.	Oct 9, 2017
UNKNOWN	(814) 835-6786	9s	PLACED	6:50 PM EST	Mon.	Oct 9, 2017
UNKNOWN	(512) 246-9549	53s	PLACED	3:12 PM EST	Mon.	Oct 9, 2017
UNKNOWN	(800) 724-2719	30s	PLACED	3:11 PM EST	Mon.	Oct 9, 2017
UNKNOWN	(845) 557-3349	0s	PLACED	3:03 PM EST	Mon.	Oct 9, 2017
UNKNOWN	(877) 789-2539	0s	PLACED	3:01 PM EST	Mon.	Oct 9, 2017
UNKNOWN	(877) 789-2539	0s	PLACED	3:01 PM EST	Mon.	Oct 9, 2017
UNKNOWN	(877) 789-2539	0s	PLACED	3:01 PM EST	Mon.	Oct 9, 2017
UNKNOWN	(877) 789-2539	8m 8s	PLACED	1:53 PM EST	Mon.	Oct 9, 2017
UNKNOWN	(877) 789-2539	0s	PLACED	1:45 PM EST	Mon.	Oct 9, 2017
Bond Margaretta	(309) 525-2705	56s	RECEIVED	1:08 AM EST	Mon.	Oct 9, 2017
UNKNOWN	(309) 525-2705	6s	PLACED	1:07 AM EST	Mon.	Oct 9, 2017
UNKNOWN	(516) 736-2925	0s	PLACED	12:52 AM EST	Mon.	Oct 9, 2017
UNKNOWN	(516) 736-2925	0s	PLACED	12:44 AM EST	Mon.	Oct 9, 2017
UNKNOWN	(845) 557-3349	0s	PLACED	12:09 AM EST	Mon.	Oct 9, 2017
UNKNOWN	(512) 352-0129	2m 16s	PLACED	10:47 PM EST	Sun.	Oct 8, 2017
UNKNOWN	(512) 352-0129	2m 41s	PLACED	10:44 PM EST	Sun.	Oct 8, 2017
UNKNOWN	(276) 632-2599	45m 53s	PLACED	10:31 PM EST	Sat.	Oct 7, 2017
FORNASH KENNETH	(276) 632-2599	11m 17s	RECEIVED	10:06 AM EST	Fri.	Oct 6, 2017
UNKNOWN	(512) 443-6940	8s	PLACED	9:25 PM EST	Thu.	Oct 5, 2017
UNKNOWN	(512) 443-5856	0s	PLACED	2:03 PM EST	Thu.	Oct 5, 2017
UNKNOWN	(276) 632-2599	22m 58s	PLACED	1:23 PM EST	Thu.	Oct 5, 2017
UNKNOWN	(540) 483-2468	36s	PLACED	1:22 PM EST	Thu.	Oct 5, 2017
U.S. CELLULAR	(540) 483-2468	23s	RECEIVED	10:04 AM EST	Thu.	Oct 5, 2017
UNKNOWN	(325) 333-1370	7s	PLACED	2:57 AM EST	Thu.	Oct 5, 2017
UNKNOWN	(512) 382-1694	0s	PLACED	12:22 AM EST	Thu.	Oct 5, 2017
UNKNOWN	(512) 382-1694	0s	PLACED	11:44 PM EST	Wed.	Oct 4, 2017
SOVAH DANVILLE	(434) 799-4488	48s	RECEIVED	10:32 AM EST	Wed.	Oct 4, 2017

Name	PhoneNumber	Duration	Time	Date		
SOVAH DANVILLE	(434) 799-4488	0s	MISSED	10:32 AM EST	Wed.	Oct 4, 2017
ROTO ROOTER SRV	(434) 685-3047	26s	RECEIVED	6:36 PM EST	Tue.	Oct 3, 2017
UNKNOWN	(276) 634-0088	22s	PLACED	6:25 PM EST	Tue.	Oct 3, 2017
ROTO ROOTER SRV	(434) 685-3047	14s	RECEIVED	5:04 PM EST	Tue.	Oct 3, 2017
UNKNOWN	(276) 634-0088	2m 11s	PLACED	3:27 PM EST	Tue.	Oct 3, 2017
Martinsville VA	(276) 622-3386	1m 19s	RECEIVED	10:07 AM EST	Tue.	Oct 3, 2017
UNKNOWN	(540) 857-5181	3m 39s	PLACED	1:35 AM EST	Tue.	Oct 3, 2017
UNKNOWN	(512) 291-5750	55s	PLACED	12:04 AM EST	Tue.	Oct 3, 2017
UNKNOWN	(512) 470-8290	0s	PLACED	11:08 PM EST	Mon.	Oct 2, 2017
UNKNOWN	(276) 226-4614	1m 12s	PLACED	10:31 AM EST	Mon.	Oct 2, 2017
FORNASH KENNETH	(276) 632-2599	23m 9s	RECEIVED	9:23 PM EST	Sun.	Oct 1, 2017
FORNASH KENNETH	(276) 632-2599	5s	RECEIVED	9:01 AM EST	Sun.	Oct 1, 2017
FORNASH KENNETH	(276) 632-2599	0s	MISSED	9:01 AM EST	Sun.	Oct 1, 2017
UNKNOWN	(917) 975-7659	7s	PLACED	1:29 AM EST	Sat.	Sep 30, 2017
UNKNOWN	(212) 443-2222	12s	PLACED	1:26 AM EST	Sat.	Sep 30, 2017
UNKNOWN	(540) 598-0440	5s	PLACED	5:12 PM EST	Fri.	Sep 29, 2017
UNKNOWN	(276) 632-6222	21s	PLACED	12:36 AM EST	Fri.	Sep 29, 2017
UNKNOWN	(276) 632-2599	39m 2s	PLACED	12:00 AM EST	Fri.	Sep 29, 2017
UNKNOWN	(276) 632-2599	46m 55s	PLACED	5:58 PM EST	Thu.	Sep 28, 2017
UNKNOWN	(540) 598-0440	45s	PLACED	4:55 PM EST	Thu.	Sep 28, 2017
UNKNOWN	(276) 632-2599	45m 4s	PLACED	6:43 PM EST	Wed.	Sep 27, 2017
UNKNOWN	(512) 646-4426	33m 20s	PLACED	6:07 PM EST	Wed.	Sep 27, 2017
UNKNOWN	(512) 646-4426	36m 40s	PLACED	5:30 PM EST	Wed.	Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	5:30 PM EST	Wed.	Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	5:30 PM EST	Wed.	Sep 27, 2017
UNKNOWN	(888) 201-2244	0s	PLACED	5:22 PM EST	Wed.	Sep 27, 2017
UNKNOWN	(888) 201-2244	0s	PLACED	5:18 PM EST	Wed.	Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	5:18 PM EST	Wed.	Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	5:17 PM EST	Wed.	Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	5:14 PM EST	Wed.	Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	5:13 PM EST	Wed.	Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	5:11 PM EST	Wed.	Sep 27, 2017
UNKNOWN	(512) 646-4426	49s	PLACED	5:09 PM EST	Wed.	Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	4:56 PM EST	Wed.	Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	4:43 PM EST	Wed.	Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	4:38 PM EST	Wed.	Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	4:35 PM EST	Wed.	Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	4:35 PM EST	Wed.	Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	4:35 PM EST	Wed.	Sep 27, 2017
UNKNOWN	(888) 201-2244	0s	PLACED	4:35 PM EST	Wed.	Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	4:35 PM EST	Wed.	Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	4:01 PM EST	Wed.	Sep 27, 2017

Name	PhoneNumber	Duration	Time	Date
UNKNOWN	(512) 646-4426	0s	PLACED	4:01 PM EST Wed. Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	4:01 PM EST Wed. Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	4:01 PM EST Wed. Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	4:01 PM EST Wed. Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	4:00 PM EST Wed. Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	4:00 PM EST Wed. Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	4:00 PM EST Wed. Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	2:52 PM EST Wed. Sep 27, 2017
UNKNOWN	(888) 201-2244	0s	PLACED	2:31 PM EST Wed. Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	2:31 PM EST Wed. Sep 27, 2017
UNKNOWN	(800) 259-9231	0s	PLACED	2:31 PM EST Wed. Sep 27, 2017
UNKNOWN	(800) 259-9231	0s	PLACED	2:31 PM EST Wed. Sep 27, 2017
UNKNOWN	(800) 259-9231	0s	PLACED	2:31 PM EST Wed. Sep 27, 2017
UNKNOWN	(800) 259-9231	0s	PLACED	2:30 PM EST Wed. Sep 27, 2017
UNKNOWN	(800) 259-9231	0s	PLACED	2:30 PM EST Wed. Sep 27, 2017
UNKNOWN	(800) 259-9231	0s	PLACED	2:30 PM EST Wed. Sep 27, 2017
UNKNOWN	(800) 259-9231	1m 19s	PLACED	2:29 PM EST Wed. Sep 27, 2017
UNKNOWN	(512) 646-4426	27m 49s	PLACED	12:01 AM EST Wed. Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	12:01 AM EST Wed. Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	12:00 AM EST Wed. Sep 27, 2017
UNKNOWN	(888) 201-2244	0s	PLACED	12:00 AM EST Wed. Sep 27, 2017
UNKNOWN	(888) 201-2244	0s	PLACED	12:00 AM EST Wed. Sep 27, 2017
UNKNOWN	(888) 201-2244	0s	PLACED	12:00 AM EST Wed. Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	11:59 AM EST Wed. Sep 27, 2017
Compton E & K	(276) 629-4453	44s	RECEIVED	10:56 AM EST Wed. Sep 27, 2017
Compton E & K	(276) 629-4453	0s	MISSED	10:56 AM EST Wed. Sep 27, 2017
UNKNOWN	(512) 291-5750	42s	PLACED	10:36 AM EST Wed. Sep 27, 2017
UNKNOWN	(415) 633-6745	6s	PLACED	10:36 AM EST Wed. Sep 27, 2017
UNKNOWN	(512) 673-7360	3s	PLACED	10:35 AM EST Wed. Sep 27, 2017
UNKNOWN	(424) 288-0650	4s	PLACED	10:34 AM EST Wed. Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	10:32 AM EST Wed. Sep 27, 2017
UNKNOWN	(512) 291-5750	30s	PLACED	10:31 AM EST Wed. Sep 27, 2017
UNKNOWN	(512) 291-5750	44s	PLACED	10:30 AM EST Wed. Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	10:29 AM EST Wed. Sep 27, 2017
UNKNOWN	(512) 291-5750	4m 12s	PLACED	10:24 AM EST Wed. Sep 27, 2017
UNKNOWN	(512) 291-5750	4m 11s	PLACED	10:20 AM EST Wed. Sep 27, 2017
UNKNOWN	(512) 291-5750	3m 25s	PLACED	10:16 AM EST Wed. Sep 27, 2017
UNKNOWN	(512) 291-5750	2m 21s	PLACED	10:14 AM EST Wed. Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	10:13 AM EST Wed. Sep 27, 2017
UNKNOWN	(888) 201-2244	0s	PLACED	10:13 AM EST Wed. Sep 27, 2017
UNKNOWN	(888) 201-2244	0s	PLACED	10:12 AM EST Wed. Sep 27, 2017
UNKNOWN	(888) 201-2244	0s	PLACED	10:08 AM EST Wed. Sep 27, 2017

Name	PhoneNumber	Duration	Time	Date		
UNKNOWN	(888) 201-2244	0s	PLACED	10:06 AM EST	Wed.	Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	10:03 AM EST	Wed.	Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	10:03 AM EST	Wed.	Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	10:03 AM EST	Wed.	Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	10:03 AM EST	Wed.	Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	10:03 AM EST	Wed.	Sep 27, 2017
UNKNOWN	(888) 201-2244	0s	PLACED	10:03 AM EST	Wed.	Sep 27, 2017
UNKNOWN	(888) 201-2244	0s	PLACED	10:03 AM EST	Wed.	Sep 27, 2017
UNKNOWN	(888) 201-2244	0s	PLACED	10:03 AM EST	Wed.	Sep 27, 2017
UNKNOWN	(888) 201-2244	0s	PLACED	10:02 AM EST	Wed.	Sep 27, 2017
UNKNOWN	(888) 201-2244	0s	PLACED	10:02 AM EST	Wed.	Sep 27, 2017
UNKNOWN	(888) 201-2244	0s	PLACED	10:02 AM EST	Wed.	Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	10:01 AM EST	Wed.	Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	10:01 AM EST	Wed.	Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	10:01 AM EST	Wed.	Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	10:01 AM EST	Wed.	Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	10:00 AM EST	Wed.	Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	9:59 AM EST	Wed.	Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	9:59 AM EST	Wed.	Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	9:59 AM EST	Wed.	Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	9:59 AM EST	Wed.	Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	9:59 AM EST	Wed.	Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	9:58 AM EST	Wed.	Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	9:58 AM EST	Wed.	Sep 27, 2017
UNKNOWN	(512) 646-4426	46m 4s	PLACED	4:08 PM EST	Tue.	Sep 26, 2017
UNKNOWN	(214) 505-8273	52s	PLACED	11:41 AM EST	Tue.	Sep 26, 2017
Cell Phone TX	(214) 505-8273	0s	MISSED	11:40 AM EST	Tue.	Sep 26, 2017
Cell Phone TX	(214) 505-8273	2m 4s	RECEIVED	11:40 AM EST	Tue.	Sep 26, 2017
UNKNOWN	(540) 488-5307	1m 11s	PLACED	11:34 AM EST	Tue.	Sep 26, 2017
UNKNOWN	(540) 483-2468	0s	PLACED	11:32 AM EST	Tue.	Sep 26, 2017
UNKNOWN	(540) 483-2468	3m 11s	PLACED	11:26 AM EST	Tue.	Sep 26, 2017
UNKNOWN	(276) 957-5684	0s	PLACED	11:23 AM EST	Tue.	Sep 26, 2017
UNKNOWN	(276) 629-4453	45s	PLACED	11:21 AM EST	Tue.	Sep 26, 2017
UNKNOWN	(415) 633-6745	7s	PLACED	11:09 PM EST	Mon.	Sep 25, 2017
UNKNOWN	(347) 759-6075	0s	PLACED	11:00 PM EST	Mon.	Sep 25, 2017
UNKNOWN	(347) 759-6075	0s	PLACED	10:33 PM EST	Mon.	Sep 25, 2017
UNKNOWN	(818) 849-3481	4m 30s	PLACED	10:23 PM EST	Mon.	Sep 25, 2017
UNKNOWN	(818) 849-3481	14m 41s	PLACED	10:08 PM EST	Mon.	Sep 25, 2017
UNKNOWN	(276) 632-2599	2m 29s	PLACED	9:00 PM EST	Mon.	Sep 25, 2017
FORNASH KENNETH	(276) 632-2599	0m 12s	RECEIVED	7:58 PM EST	Mon.	Sep 25, 2017
UNKNOWN	(276) 632-2599	17m 4s	PLACED	5:13 PM EST	Mon.	Sep 25, 2017
UNKNOWN	(512) 646-4426	55m 9s	PLACED	4:10 PM EST	Mon.	Sep 25, 2017

Name	PhoneNumber	Duration	Time	Date		
UNKNOWN	(512) 646-4426	0s	PLACED	4:10 PM EST	Mon.	Sep 25, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	4:10 PM EST	Mon.	Sep 25, 2017
UNKNOWN	(888) 201-2244	0s	PLACED	4:10 PM EST	Mon.	Sep 25, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	4:09 PM EST	Mon.	Sep 25, 2017
UNKNOWN	(276) 632-6222	26s	PLACED	3:52 PM EST	Mon.	Sep 25, 2017
UNKNOWN	(434) 793-7147	1m 39s	PLACED	3:45 PM EST	Mon.	Sep 25, 2017
UNKNOWN	(276) 632-2599	14m 55s	PLACED	2:41 PM EST	Mon.	Sep 25, 2017
UNKNOWN	(276) 632-2599	4m 29s	PLACED	2:36 PM EST	Mon.	Sep 25, 2017
UNKNOWN	(276) 632-2599	0s	PLACED	2:34 PM EST	Mon.	Sep 25, 2017
UNKNOWN	(310) 203-4721	8m 57s	PLACED	2:24 PM EST	Mon.	Sep 25, 2017
UNKNOWN	(276) 634-4499	1m 29s	PLACED	2:22 PM EST	Mon.	Sep 25, 2017
NCAVF	(310) 203-4721	0s	MISSED	1:27 PM EST	Mon.	Sep 25, 2017
NCAVF	(310) 203-4721	36s	RECEIVED	1:27 PM EST	Mon.	Sep 25, 2017
FORNASH KENNETH	(276) 632-2599	48m 44s	RECEIVED	11:36 AM EST	Sat.	Sep 23, 2017
UNKNOWN	(276) 632-2599	40m 34s	PLACED	5:52 PM EST	Fri.	Sep 22, 2017
CARILION	(540) 526-1000	43s	RECEIVED	3:05 PM EST	Fri.	Sep 22, 2017
CARILION	(540) 526-1000	0s	MISSED	3:05 PM EST	Fri.	Sep 22, 2017
UNKNOWN	(276) 632-2599	56m 55s	PLACED	5:36 PM EST	Wed.	Sep 20, 2017
CARILION CLINIC	(540) 224-5170	34s	RECEIVED	5:35 PM EST	Wed.	Sep 20, 2017
UNKNOWN	(276) 632-2599	35s	PLACED	5:34 PM EST	Wed.	Sep 20, 2017
CARILION HEALTH	(276) 634-4499	0s	MISSED	2:25 PM EST	Tue.	Sep 19, 2017
CARILION HEALTH	(276) 634-4499	29s	RECEIVED	2:25 PM EST	Tue.	Sep 19, 2017
ZIMMER WILLIAM	(276) 670-3300	54s	RECEIVED	5:40 PM EST	Mon.	Sep 18, 2017
UNKNOWN	(540) 598-0440	1m 13s	PLACED	4:09 PM EST	Mon.	Sep 18, 2017
UNKNOWN	(424) 288-0650	3s	PLACED	9:31 PM EST	Thu.	Sep 14, 2017
UNKNOWN	(512) 673-7360	17s	PLACED	7:55 PM EST	Thu.	Sep 14, 2017
UNKNOWN	(202) 262-3034	10s	PLACED	7:54 PM EST	Thu.	Sep 14, 2017
UNKNOWN	(424) 288-0650	14s	PLACED	7:53 PM EST	Thu.	Sep 14, 2017
UNKNOWN	(276) 224-4527	29m 45s	PLACED	4:47 PM EST	Thu.	Sep 14, 2017
UNKNOWN	(276) 224-4527	2s	PLACED	4:46 PM EST	Thu.	Sep 14, 2017
UNKNOWN	(276) 224-4527	18m 13s	PLACED	9:48 PM EST	Wed.	Sep 13, 2017
UNKNOWN	(424) 288-0650	14s	PLACED	9:47 PM EST	Wed.	Sep 13, 2017
UNKNOWN	(276) 224-4527	0s	PLACED	9:47 PM EST	Wed.	Sep 13, 2017
UNKNOWN	(276) 224-4527	11m 50s	PLACED	4:59 PM EST	Wed.	Sep 13, 2017
UNKNOWN	(540) 598-0440	2m 10s	PLACED	4:56 PM EST	Wed.	Sep 13, 2017
UNKNOWN	(888) 201-2244	44m 2s	PLACED	4:07 PM EST	Wed.	Sep 13, 2017
UNKNOWN	(512) 646-4426	9m 19s	PLACED	3:57 PM EST	Wed.	Sep 13, 2017
Cell Phone VA	(276) 224-4527	19m 42s	RECEIVED	10:39 PM EST	Tue.	Sep 12, 2017
UNKNOWN	(424) 288-0650	5s	PLACED	8:24 PM EST	Tue.	Sep 12, 2017
UNKNOWN	(424) 288-0650	4s	PLACED	5:18 PM EST	Tue.	Sep 12, 2017
UNKNOWN	(276) 632-0180	2m 52s	PLACED	5:03 PM EST	Tue.	Sep 12, 2017
UNKNOWN	(888) 201-2244	0s	PLACED	4:53 PM EST	Tue.	Sep 12, 2017

Subject: Automatic reply: FW: 953850 Mr. Brian D. Hill VS The Chimney Sweep, PHOTOCOPY OF SIGNED CHECK, CASSELL SIGNED CHECK
From: "Davis, Demetrice A." <DADavis@oag.state.va.us>
Date: 8/25/2022, 10:17 PM
To: ROBERTA HILL <rbhill67@comcast.net>

I will be out of the office on Fri. aug. 26. I will respond to your message as soon as I am able.

With regards,

Subject: Re: FW: 953850 Mr. Brian D. Hill VS The Chimney Sweep, PHOTOCOPY OF SIGNED CHECK, CASSELL SIGNED CHECK
From: ROBERTA HILL <rbhill67@comcast.net>
Date: 8/30/2022, 7:13 AM
To: "Davis, Demetrice A." <DADavis@oag.state.va.us>, "eferguson@fergusonlaw.net" <eferguson@fergusonlaw.net>
CC: Kenstella <kenstella@comcast.net>, "kenstella2005@comcast.net" <kenstella2005@comcast.net>, "stanleybolten@justiceforuswgo.nl" <stanleybolten@justiceforuswgo.nl>

Demetrice A. Davis,

Here is a letter from my son. Typed up today to be emailed to you.

filename: Letter-Demetrice-Davis-EricFergusonAugust30-2022.pdf

This will be the last written letter from him as there is nothing else coming to further prove anything further. At this point this is going nowhere. So this is the last letter from my son over this matter. He will be asking the courts at this point to subpoena or have him asked questions about the carbon monoxide poisoning long term of my son caused by the metal tin. Brian David Hill = Innocence. He doesn't want to waste any more time on this if it continues going nowhere. He still has the evidence he was not medically cleared and officers were misled as lab tests were ordered then deleted from the chart without explanation why before he was arrested. My son was neglected by the hospital. If they had done their job, the carbon monoxide levels would have been documented, Mr. Cassell would have been questioned by the police in 2018 had the tests not been deleted, and my son never would have been charged with indecent exposure in the first place.

case no. 953850, Mr. Brian D. Hill VS The Chimney Sweep, for Office of Dispute Resolution

Thanks,
Roberta Hill
310 Forest Street, Apt. 1, Martinsville, VA 24112.

on behalf of Brian David Hill
310 Forest Street, Apt. 2, Martinsville, VA 24112.

> On 08/24/2022 9:44 AM Davis, Demetrice A. <dadavis@oag.state.va.us> wrote:
>
> Dear Mrs. Hill,
>
> This email is to advise you that your complaint has been re-assigned to my attention. Aaron Ziglar will be out of the office on extended leave; however, he did forward the new information that you

provided to Mr. Ferguson (see the below email). Please feel free to contact me if you have any questions or concerns.

I see that you have copied others here at the Attorney General's Office regarding your son's complaint. Do you currently have a criminal case that our office is involved in? I do not work in that section so I do not have access to that information.

Thank you,

Demetrice A. Davis | Unit Manager, CIRU and DRU
Office of the Attorney General
202 North 9th Street
Richmond, Virginia 23219
O: (804) 786-1304 | M: | F:
DADavis@oag.state.va.us
https://www.oag.state.va.us

From: Ziglar, Aaron M. <AZiglar@oag.state.va.us>
Sent: Friday, August 19, 2022 10:48 AM
To: eferguson@fergusonlaw.net
Cc: Davis, Demetrice A. <DADavis@oag.state.va.us>
Subject: RE: 953850 Mr. Brian D. Hill VS The Chimney Sweep, PHOTOCOPY OF SIGNED CHECK, CASSELL SIGNED CHECK
Importance: High

Dear Mr. Hill/Mr. Ferguson,

Thank you for authorizing the Virginia Attorney General's Office to assist in the resolution of your dispute. Our Office has received the below written response from the business to your complaint. Please review it carefully and, if you would like to provide a response, please do so in writing within ten (10) business days from the date of this email.

In the event I fail to hear from you in writing within ten business days, the complaint will be closed and no further action will be taken. **Please note that I will be on an extended leave of absence from the office after today. Please direct any questions or written correspondence to Demetrice Davis. Her email address is DADavis@oag.state.va.us and her telephone number is (804) 786-1304.**

This Office will retain the complaint form and copies of all official correspondence regarding the complaint in accordance with the applicable state retention schedule. Under the Virginia Freedom of Information Act, please be advised that these materials will be available to the public for review, upon request.

If you have any additional information or need further assistance, please feel free to contact me or respond to this message.

Sincerely,

Office of the Attorney General

Aaron M. Ziglar | Dispute Resolution Specialist
Office of the Attorney General
202 North 9th Street
Richmond, Virginia 23219
O: (804) 786-1244 | M: | F:
AZiglar@oag.state.va.us
https://www.oag.state.va.us

From: ROBERTA HILL <rbhill67@comcast.net>
Sent: Monday, August 15, 2022 10:28 PM
To: Ziglar, Aaron M. <AZiglar@oag.state.va.us>; eferguson@fergusonlaw.net; Coen, Chris <ccoen@oag.state.va.us>; OAGCriminalLitigation <OAGCriminalLitigation@oag.state.va.us>
Cc: Ken & Stella Forinash <kenstella@comcast.net>; kenstella2005@comcast.net; stanleybolten@justiceforuswgo.nl
Subject: Re: 953850 Mr. Brian D. Hill VS The Chimney Sweep, PHOTOCOPY OF SIGNED CHECK, CASSELL SIGNED CHECK
Importance: High

Photocopy of check signed by Mr. Cassell, photocopy from TRUIST Bank after weeks of research the bank needed as per my request. Brian will be filing a new complaint against Mr. Cassell for lying to the Attorney General to dismiss a complaint with factual issues of carbon

monoxide gas caused by metal tin being placed on chimney flues by denying everything to the extent where there is lying, with proof that Eric Ferguson and JaCody Cassell lied to the Office of the Attorney General. Lied by claiming never did any work/service or estimate for the Hills. $300 check was signed for by Cassell. His signature in cursive writing does show his signature.

By denying ever conducting any service or estimate, $300 was assumed to have been paid for absolutely nothing. That is business fraud, $300 paid for nothing. TRUIST has the records.

A new complaint will be filed by Brian Hill with the evidence proving that JaCody Cassell lied through his attorney, that may be fraud.

See Virginia Code, Chapter 6. Crimes Involving Fraud, § 18.2-178. Obtaining money or signature, etc., by false pretense.

Since $300 was paid for no service since JaCody Cassell denied everything, then $300 was paid for no service, therefore **if Cassell wishes to continue denying, then $300 was paid for no service which may be a false pretense. It is your choice Eric Ferguson and JaCody Cassell, if you wish to continue denying that any service was ever done, continue denying any estimate, well then I paid $300 for nothing to you and that isn't true. That may be considered business fraud depending on how the laws are interpreted.**

The U.S. Probation Office may also receive this evidence to conduct their own investigation, the State Police may receive a copy. It is time for Brian David Hill to be acquitted of his state charge of indecent exposure, Brian David Hill = Innocence.

-------- Forwarded Message --------

Subject: Re: 953850 Mr. Brian D. Hill VS The Chimney Sweep
Date: Tue, 12 Jul 2022 14:24:35 +0000
From: Ziglar, Aaron M. <AZiglar@oag.state.va.us>
To:ROBERTA HILL <rbhill67@comcast.net>

CITATION:

The only thing I am interested in is if The Chimney Sweep did any work for them in 2017. If they have a check, then produce it. If not, then drop this matter.

Attachments:

Letter-Demetrice-Davis-EricFergusonAugust30-2022.pdf 824 KB

LETTER TO OFFICE OF DEMETRICE A. DAVIS, ATTORNEY GENERAL, DISPUTE RESOLUTION UNIT, AND ATTORNEY ERIC FERGUSON

RE: Case number: 953850; Mr. Brian D. Hill VS The Chimney Sweep

TUESDAY, AUGUST 30, 2022

ATTN: Demetrice A. Davis Unit Manager, CIRU and DRU Office of the Attorney General 202 North 9th Street Richmond, Virginia 23219 Phone: (804) 786-1304 DADavis@oag.state.va.us	**ATTN: Eric H. Ferguson, Esq.** RHODES & FERGUSON ATTORNEYS AT LAW 305 S. Main Street Rocky Mount, VA 24151 eferguson@fergusonlaw.net Phone: 540-483-5234 FAX: 540-483-5763

To JaCody Cassell through Attorney Eric Ferguson and Demetrice A. Davis,

I now have the photocopy of the signed check by either James Cassell or JaCody Cassell, the business owner of The Chimney Sweep. It is undeniable. The TRUIST bank's Kathy Bowles, Assistant Vice President, Client Resolution Senior Specialist, has given Roberta Hill and me the evidence we need which had proven that Roberta Hill had paid $300 to Cassell of The Chimney Sweep. It isn't my word on it, it is the word of Kathy Bowles, Assistant Vice President. That person's credibility and the record itself is credible evidence.

The lawyer Eric Ferguson said the following on Tuesday, July 5, 2022 10:54 AM in email to Aaron Ziglar forwarded to Roberta Hill at rbhill67@comcast.net, the following lie or disregard for the truth:

Eric Ferguson on behalf of JaCody Cassell: "My client is trying to be as honest as he can be in this complaint. My client does not remember doing any work for the Hills in 2017 or ever. He does not believe that he has done any work for them. He has no records of ever providing estimates or doing any work for them."

Well then, I guess he does not believe he signed for a $300 check that went directly to his company with the same name as his company The Chimney Sweep, $300

paid to Cassell. The telephone records proving that the mobile phone number belonging directly to James Cassell at U.S. Cellular phone company, and was in contact with phone number due to records for (276) 790-3505 phone number of xFinity/Comcast account of Roberta Hill and used by Brian Hill. I guess he does not remember any of that or all of that. That $300 with his signature on it, I guess that doesn't mean anything either. The attorney did have a point where if we ever did produce the photocopy of the signed check by Mr. Cassell, we should produce it or drop the matter. We produced it.

The lawyer Eric Ferguson said the following on Monday, July 11, 2022 9:51 AM in email to Aaron Ziglar forwarded to Roberta Hill at rbhill67@comcast.net, the following challenge assuming that Roberta Hill would never get a photocopy of the signed check:

Eric Ferguson on behalf of JaCody Cassell: The only thing I am interested in is if The Chimney Sweep did any work for them in 2017. If they have a check, then produce it. If not, then drop this matter. ”

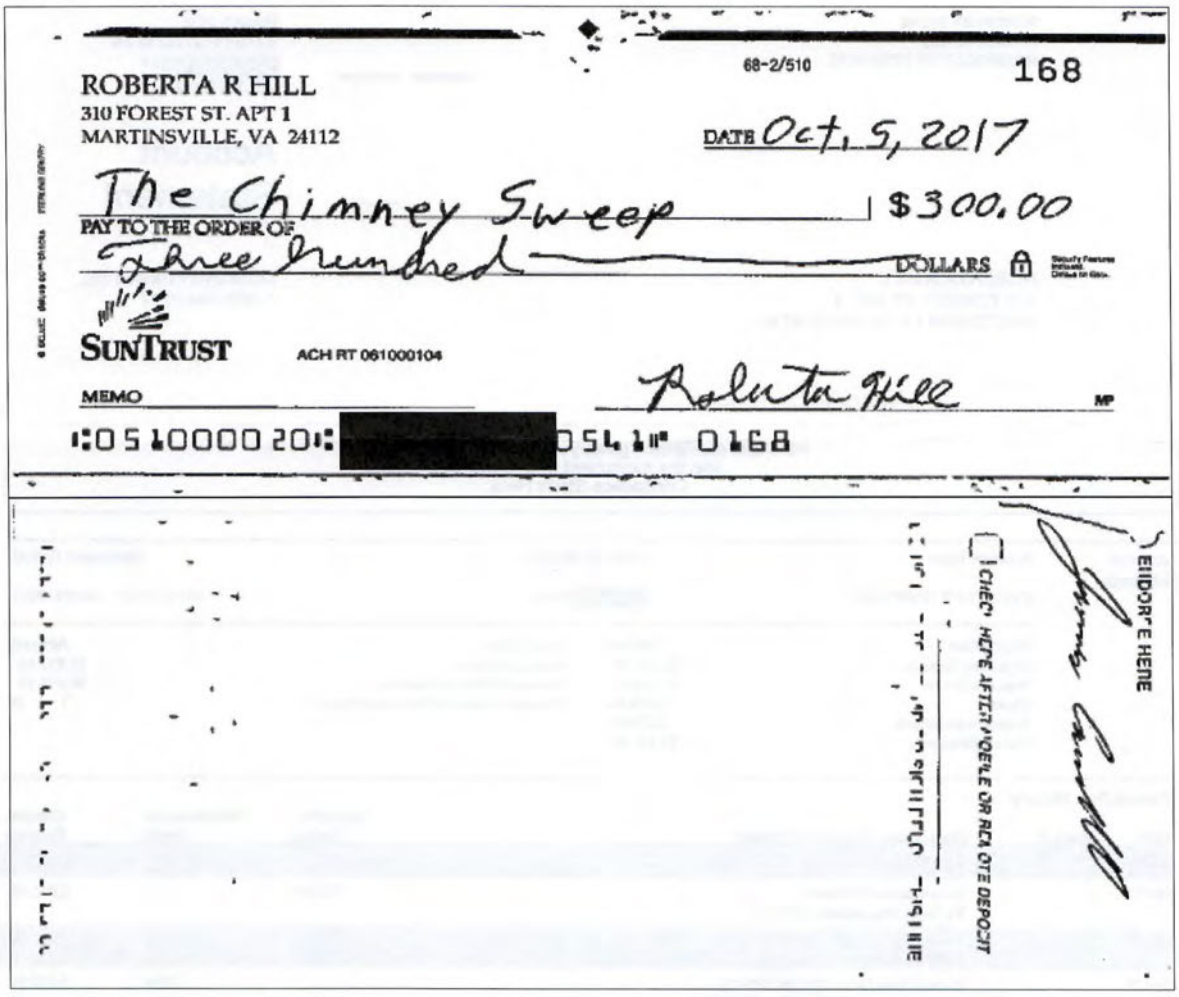
CHALLENGE ACCEPTED!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!

Brian D. Hill, formerly of USWGO Alternative News, that is why I am such a pain in the butt, because I used to be an alternative news reporter and I always get down to the bottom of things. I interviewed Congressman Virgil H. Goode on May, 2012.

Challenge accepted!!! JaCody Cassell and his lawyer Eric Ferguson.

Roberta Hill already sent you the photocopy by email, but I want to also present the photocopy in this letter. We have the electronic photocopy of the check from the bank, the signed check signed for by JaCody or James Cassell. I will not drop this matter because we completed your challenge and defeated you. I have the photocopy of the signed check, even the bank TRUIST is acknowledging that $300 was paid for by Roberta Hill's bank account to The Chimney Sweep business, to Mr. Cassell, because Cassell owns The Chimney Sweep. The records prove it, the bank proves it. You lost, Eric Ferguson. You need to admit your defeat Eric Ferguson. I will fax this letter to you when I have the time. Time to admit defeat. Challenge accepted and you been defeated.

I have the evidence, the photocopy is downsized to fit in the next page. Here it is.



ROBERTA R HILL
310 FOREST ST. APT 1
MARTINSVILLE, VA 24112

68-2/510 168

DATE Oct. 5, 2017

PAY TO THE ORDER OF The Chimney Sweep $300.00

Three Hundred DOLLARS

SUNTRUST ACH RT 061000104

MEMO Roberta Hill

:051000020: [redacted] 0541" 0168

ENDORSE HERE

CHECK HERE AFTER MOBILE OR REMOTE DEPOSIT

1/1

We produced the check, so we are giving The Chimney Sweep one more chance.

I have already produced a witness list for the United States District Court for the Middle District of North Carolina, along with filing the litigation hold letter for TRUIST bank to retain the photocopy of the signed check until disposition of all listed pending cases. JaCody Cassell is already being listed as a witness and will also be made known to the Circuit Court for the City of Martinsville once a formal motion for a judgment of acquittal or new trial is prepared for the Clerk. The Clerk already has the signed check photocopy and litigation hold letter. Roberta Hill sent the email on Sunday to the Clerk.

JaCody Cassell is being listed as the primary witness of who we believe to the best of our knowledge his company The Chimney Sweep got paid on October 5, 2017, phone call logs also show his company mobile phone number involved on October 5, 2017. In September 27, 2017, Karen Compton of ACE Chimney & Wildlife had returned a voicemail from an earlier phone call from Roberta Hill inquiring and getting estimates on a chimney cap and Karen also mentioned about a chimney cleaning, probably because of the chimney swifts pooping in the fireplace in 2016. This proved that Roberta Hill was seeking something for the chimney, to block the chimney swift birds from coming into the chimney.

JaCody Cassell is being listed as the primary witness of who we believe to the best of our knowledge his company The Chimney Sweep had installed metal tin on top of the chimney flues at 310 Forest Street on October 5, 2017. Photo of the house.



Of course the photograph was taken by Google Street view in 2022, the photograph should jog his memory. The house in the photograph, the one with the tall chimney, had metal tin placed on top of the chimney flues. You can still slightly see the white residue on the chimney itself on the outside. White residue in one fireplace is barely present because of cleaning but the other fireplace still has the white residue. I also have the evidence of water damage in the gas heat logs which are remote controlled. That water damage proof is also being kept in fireplaces to retain the evidence of the damage caused by the carbon monoxide gas, proof that Brian Hill was exposed to carbon monoxide gas from October 5, 2017, until he left the home and was arrested on September 21, 2018 for indecent exposure. Chimney still had carbon monoxide coming into the home until the metal tin was removed from the chimney flue(s) on January 30, 2019. The one who removed it was Pete Compton of ACE Chimney & Wildlife.

Because of witness Pete Compton who removed the metal tin from the chimney flues, no other chimney service did work on the chimney between October 5, 2017, and January 30, 2019. The only culprit or suspect would be The Chimney Sweep.

So they are suspect now, and the State Police has a right to investigate this incident. Here is why as I have stated over and over again both in Federal Court, State Court, and in letters.

The Chimney Sweep caused the carbon monoxide gas damage and gas poisoning caused by exhaust of natural gas appliances. Radiator and hot water heater. It would be impossible for there not to be poisoning. It is obvious that Brian David Hill and Roberta Hill were poisoned with carbon monoxide gas. Even the State Police will accept this if given this information. It is more believable than some black man wearing a hoodie threatening to kill Roberta Hill if Brian Hill did not take his clothes off and do what was directed of the man in the hoodie which landed Brian David Hill in an indecent exposure charge on September 21, 2018. Carbon Monoxide gas can cause mental confusion, psychosis, diarrhea, hallucinations, Sinus Tachycardia, abnormally high resting blood pulse readings over 100, abnormal White Blood Cell (WBC) count, abnormal Mean Platelet Volume (MPV). We have proof of all of that for the Attorney General and the Department of State Police to review if necessary. I am ready to file a criminal complaint against JaCody Cassell if necessary for playing these mind games with his lawyer to prevent testifying about him or somebody working for his business placing metal tin on top of the chimney flues, and that metal tin was found by Pete Compton on January 30, 2019.

Brian David Hill had been exposed to carbon monoxide anytime he had resided in the home between October 5, 2017 and September 20, 2018, late before he left the house at night for a walk, then stripped naked and was found naked on September 21, 2018.

Roberta R. Hill has been exposed to carbon monoxide anytime she had resided in the home between October 5, 2017 and January 30, 2019 when the metal tin was taken off of the home.

Of course Roberta Hill wasn't getting naked, but she doesn't have AUTISM SPECTRUM DISORDER. Those with autism have been known medically that when they were children they had issues of taking clothes off at inappropriate times. It is believed that the carbon monoxide had caused hallucinations of the black man wearing the hoodie, which hallucinations can be caused by both lengthy period of dehydration for hours walking for miles on the Dick and Willie walking trail butt naked without any liquids or sodas or even juices for a type 1 brittle diabetic, and hallucinations can also be caused by prolonged exposure to Carbon Monoxide gas.

Brian Hill had over 5-6 or more reported symptoms same as what symptoms are known for Carbon Monoxide poisoning as evidenced. The only missing variable was the lack of levels documented to be acceptable by Virginia legal standards. However, evidence of carbon monoxide does exist, the symptoms of it exists. Reasonable Doubt.

Six days after he was arrested for indecent exposure, he was writing claims that he believed he was drugged, had blacked out memories, kept his doors unlocked, was psychologically afraid to sleep in his bed. All of that was filed in Federal Court records, Document #153. Was written in September 27, 2018, had to be mailed again in October, 2018, because he had written the wrong address which he had not done in jail before. Mental confusion is also a symptom of the CO gas exposure.

JaCody Cassell is the primary suspect of him or somebody else directly working for his business The Chimney Sweep placing the metal tin on top of the chimney flues. Getting paid $300 for that cheap labor. The cost of chimney caps can be kind of expensive, so the cheaper work to cut corners is sealing the chimney. That is what I believed The Chimney Sweep did for the amount they were paid, they were not paid a high amount of money to afford a chimney cap, but the cheaper labor was placing metal tin on the flues to seal them away. Roberta Hill was not informed of this operation and she was not provided with any receipt or documentation or paperwork of what was done to her chimney. Very unprofessional in my view as a former news reporter of USWGO

Alternative News. They need to be under serious investigation here. They must!

They have no records despite Cassell signing for a $300 check by Roberta Hill from her bank account at SunTrust before it became TRUIST. Check was on October 5, 2017, cashed in on October 6, 2017. His signature in the back of the check in the bank digital photocopy record of checks. They have no records and no paper trail despite phone call logs showing the business mobile phone number, same as the one in the logo of their business, showing the phone number belonging to James Cassell according to USPhoneBook and the other line was 276-790-3505.

No paper trail, no records, nothing, no evidence at their business that any work was ever done, how interesting. Such a cover up or lack of keeping records. Whatever the case is, it is time for there to be a long investigation into The Chimney Sweep. The State Police needs to start contacting anybody who has had similar procedures done to their chimneys and needs to find out if they also had metal tin placed on top of their chimney flues. If any other customer of that business has similar "metal tin" issues then this is a major problem and they could be causing home damage, brain damage, body damage, wrongful arrests, wrongful conviction, psychosis, and death. This is unacceptable for a business to be not keeping records at all or destroyed records or concealed existence of records all for the purpose of denying everything over a serious issue.

This letter hopes that somebody at the Office of Attorney General is competent enough to demand criminal and civil investigations into this business. There is enough funny business that investigations should be the first thing done, right away.

I am still willing to let it go and drop this matter on one condition with JaCody Cassell, Eric Ferguson, and The Chimney Sweep business as whole:

This business, whoever employee had done the metal tin installment, needs to file an affidavit with the Clerk of the Circuit Court for the City of Martinsville, a copy with myself, a copy with Roberta Hill, a copy with the Hon. Giles Carter Greer (judge), a copy with the Commonwealth Attorney Office, a copy with the U.S. Attorney Office for the Middle District of North Carolina, and a copy with the Attorney General Office.

The affidavit needs to specify when the metal tin was installed, how it was installed, what areas of the chimney flues were covered, and how the business did not verify whether or not gas exhaust ever came out of the chimney flues and did not verify

whether or not that gas appliances were ventilating through the chimney flue or flues.

I don't want lies, I don't want excuses, I want the truth from JaCody Cassell. I want the truth and I want it under affidavit, I want it in writing or in a recorded statement made to law enforcement officials or in a recorded statement to the Circuit Court Judge with copies made to all parties of the criminal case.

His testimony could cause the acquittal or new jury trial of Brian David Hill's criminal case where the jury could hear that carbon monoxide of long termed exposure lead to the indecent exposure and hallucinations of Brian David Hill around and during the time of the incident which lead to his arrest by Officer Robert Jones on September 21, 2018. The jury needs to hear this, and the jury needs to hear this from JaCody Cassell himself pursuant to the confrontation clause of the U.S. Constitution. The jury needs to understand that Brian David Hill had no prior history of indecent exposure and no prior criminal record of indecent exposure, that after the carbon monoxide gas which caused brain issues for many months, it led to the indecent exposure incident which was charged against Brian David Hill on September 21, 2018. I have the facts. It is time for Mr. Cassell to get his facts straight and not cover up anything further.

He needs to acknowledge what his business did, and he has one more opportunity.

The State Police can show the photograph of the chimney, a photograph of the house in question to jog his memory. Hopefully he will then remember something.

I hope I can get the truth out of this man while complying with the Fifth Amendment, U.S. Constitution protection against self incrimination. He has the right to remain silent, he has the right to not say anything. He can plead the fifth.

However, I want the truth and the truth will set me free, the truth will acquit me of indecent exposure. The truth will show the jury that I did not make any excuses for why I was out there naked that night. I am not guilty and I am not making excuses for why I was out there, I was not purposefully out there, I was not being obscene, I was not medically and psychologically cleared. I had no intent. I was intoxicated.

I push this defense to the Office of the Attorney General.

Brian David Hill was intoxicated presumably not by an illegal street drug or alcoholic beverage, but was involuntarily intoxicated by Carbon Monoxide gas. This can

be proven by Pete Compton, by white residue, by photographs of the falling ceiling and damage on the wall areas near the fireplace, the multiple symptoms proven of Brian Hill's behavior which all of those symptoms are usually exhibited by carbon monoxide damaged patients.

Time to stop playing games Eric Ferguson and JaCody Cassell. This is my last letter to you before I go straight to the U.S. District Court and Circuit Court asking for subpoenaing you as a difficult witness and difficult witness in who his business has caused the carbon monoxide poisoning of Brian David Hill.

In short, Brian D. Hill was exposed to carbon monoxide, directly caused by work done by The Chimney Sweep on October 5, 2017, caused the indecent exposure incident and charge as of September 21, 2018, in the City of Martinsville on a deserted walking trail called the Dick and Willie passage walking trail.

I will be asking the Courts to subpoena you for your testimony where you will be asked under penalty of perjury whether you still deny everything because the signed check and phone records can have you charged with perjury if you continue denying it all. You can keep your mouth shut pleading the fifth in front of the jury of my peers, the jury will feel odd about my indecent exposure charge hearing you keeping your mouth shut or denying everything. The jury will find me not guilty of indecent exposure.

Thank You. Respectfully filed with the Demetrice Davis, this the 30th day of August, 2022.



God bless you,
Brian D. Hill
Ally of Q, Former news reporter of U.S.W.G.O. Alternative News
310 Forest Street, Apartment 2
Martinsville, Virginia 24112
(276) 790-3505

U.S.W.G.O.

JusticeForUSWGO.NL or JusticeForUSWGO.wordpress.com

Subject: Read: FW: 953850 Mr. Brian D. Hill VS The Chimney Sweep, PHOTOCOPY OF SIGNED CHECK, CASSELL SIGNED CHECK
From: "Davis, Demetrice A." <DADavis@oag.state.va.us>
Date: 8/31/2022, 9:16 AM
To: ROBERTA HILL <rbhill67@comcast.net>

Your message

To: Davis, Demetrice A.
Subject: Re: FW: 953850 Mr. Brian D. Hill VS The Chimney Sweep, PHOTOCOPY OF SIGNED CHECK, CASSELL SIGNED CHECK
Sent: Thursday, August 25, 2022 10:17:02 PM (UTC-05:00) Eastern Time (US & Canada)

was read on Wednesday, August 31, 2022 9:16:23 AM (UTC-05:00) Eastern Time (US & Canada).

```
Final-recipient: RFC822; DADavis@oag.state.va.us
Disposition: automatic-action/MDN-sent-automatically; displayed
X-MSExch-Correlation-Key: /AWWVA5EfkqX+oWJe3I8Vg==
X-Display-Name: Davis, Demetrice A.
```

Subject: RE: FW: 953850 Mr. Brian D. Hill VS The Chimney Sweep, PHOTOCOPY OF SIGNED CHECK, CASSELL SIGNED CHECK
From: "Davis, Demetrice A." <DADavis@oag.state.va.us>
Date: 8/31/2022, 9:46 AM
To: ROBERTA HILL <rbhill67@comcast.net>
CC: Kenstella <kenstella@comcast.net>, "kenstella2005@comcast.net" <kenstella2005@comcast.net>, "stanleybolten@justiceforuswgo.nl" <stanleybolten@justiceforuswgo.nl>, Lin Wood <lwood@linwoodlaw.com>

Dear Mrs. Hill,

Unfortunately, I am unable to provide you with any information involving the Criminal Appeals section and your son's case. I am not an attorney, and as I mentioned in my last email I do not work in the Criminal Appeals section. If you have information that you would like forwarded to that section you should contact them directly. I nor Aaron Ziglar has ever been contacted by Criminal Appeals for any information related to the consumer complaint that you filed against Chimney Sweep.

As I review the notes from your file it appears that an explanation of the dispute resolution process may not have been communicated to you. Whenever our office receives a consumer complaint such as yours, it is handled as a dispute where we attempt to facilitate the discussion between the disputants in order to help them come up with a mutually agreeable resolution. The dispute resolution process is not a legal process – it is an informal mediation where the office acts as a neutral party and the go-between for the disputing parties when it comes to sharing communication. The process is voluntary. We cannot compel either party to participate, nor can we compel either party to respond to follow-up communication attempts. We do not make a decision of fault or liability with consumer complaints. Additionally, the Attorney General's Office acts as the law firm for state agencies and/or state officials. We do not provide legal counsel to private individuals, nor does the office pursue criminal action at the request of private individuals. If you feel that you have evidence that warrants criminal prosecution you may want to contact your local police and/or Commonwealth Attorney's office.

When you provided the checks with your last email, follow-up correspondence was sent to The Chimney Sweep. If they respond, I will forward that information to you. If they do not respond, unfortunately, the complaint will remain closed.

Please let me know if you have any questions about the dispute resolution process.

Respectfully,

Demetrice A. Davis | Unit Manager, CIRU and DRU
Office of the Attorney General
202 North 9th Street
Richmond, Virginia 23219
O: (804) 786-1304 | M: | F:
DADavis@oag.state.va.us
https://www.oag.state.va.us

From: ROBERTA HILL <rbhill67@comcast.net>
Sent: Thursday, August 25, 2022 10:17 PM
To: Davis, Demetrice A. <DADavis@oag.state.va.us>
Cc: Kenstella <kenstella@comcast.net>; kenstella2005@comcast.net; stanleybolten@justiceforuswgo.nl; Lin Wood <lwood@linwoodlaw.com>
Subject: Re: FW: 953850 Mr. Brian D. Hill VS The Chimney Sweep, PHOTOCOPY OF SIGNED CHECK, CASSELL SIGNED

CHECK
Importance: High

Here is the evidence, not all of it, but the most important evidence which the Attorney General can use for criminal investigations into The Chimney Sweep or the State Police should start up an investigation depending on the level of crimes here. They can still resolve this complaint by admitting to they're own mistake on October 5, 2017 of installing metal tin causing my son and I to suffer months and months of gas poisoning. Your office also is involved with the Criminal Appellate Section on three ongoing appeals on a judge denying my son's request for a new trial or judgment of acquittal in my son's criminal case, and his dismissed Petition for Writ of Innocence because he is innocent and he has the solid evidence proving he is innocent (not being medically cleared as previously assumed by police). He will at at some point be filing with the Circuit Court this new evidence of the more solid evidence he is innocent of his conviction. The Chimney Sweep are the beginning of all of this, they caused the issues which caused my son to run away from home then running naked on a deserted walking trail at night then was hospitalized but lab tests were never completed despite medicaid being billed for procedure partially conducted.

The Chimney Sweep is the fault of all of this but the paragraph below is briefly on what had happened. After the paragraphs, see the relevance and issues caused by The Chimney Sweep as to why this is very important and must be resolved either by The Chimney Sweep or investigate thoroughly by the Department of State Police through criminal referral. My son plans on filing a report or multiple reports with the State Police if necessary to have his indecent exposure conviction done away with as he has solid evidence that he didn't have back in 2018 when he was arrested. He didn't have this evidence and his lawyer refused to investigate any of it, he was just like Eric Placke, he just doesn't do anything. The Chimney Sweep is the fault for this, but they didn't make him go out there naked, but they caused the carbon monoxide gas by installing the metal tin on top of my Triplex chimney flues. Carbon monoxide poisoning can cause indecent exposure, it can cause somebody with autism to see hallucinations of a man in a hoodie threatening him to get naked and run around a deserted walking trail at night. It was carbon monoxide, it was a medical emergency and not a crime.

My son Brian David Hill was charged on September 21, 2018 with indecent exposure. He was reportedly running around between 2-3AM around a deserted walking trail at night. He has autism and that is in the Department of Motor Vehicles handicap system from a medical doctor. He has diabetes but the police officer admitted under oath that he never knew Brian Hill was diabetic, but that would be because he was out of it, he was not in his right mind at that time due to the carbon monoxide. A vehicle around Hooker Street where the Dick and Willie walking trail was near a small road, a vehicle saw him and reported that a naked male was running. He didn't stop and masturbate, he didn't do any of that when I read my son's affidavits also filed in the Circuit Court. He has type one brittle diabetes. My son said his memories were blacked out, he suspected he was drugged. He told the court he thought he was drugged in writing but nobody ever conducted completed laboratory tests, he could have been injected with some street drug and they never checked him for drugs????
The hospital did not conduct any laboratory testings, they billed Medicaid for drawing blood from my son's arm but wasted the blood, Medicaid fraud or waste. **They ordered (from medical record page) what we believe may be drug tests, and they were lab tests, but we believe at the beginning they wanted to determine if he was on any illegal drugs or anything but the lab results were deleted from the chart without a valid explanation why. That is currently under criminal or civil investigation with the Department of Health Professions.** The U.S. Probation Office may be conducting it's own criminal investigation into the medical neglect and destruction of

evidence and doctor lying to the local police. Officer Robert Jones of Martinsville Police was questioned under oath for a probation hearing, he said they usually do lab work and other stuff and assumed Brian Hill was medically and psychologically cleared. It is unlawful for false information to be in a police criminal investigation report. The false information was that "he was medically and psychologically cleared". Medicaid was billed for procedures not completed, lab work after blood drawn and billed to Medicaid. **The lab tests could have shown carbon monoxide gas poisoning caused by The Chimney Sweep since October 5, 2017. After they sealed the chimney flues, my son started saying he couldn't think straight, hit his head on the desk with blood coming out of his forehead, and ambulance services showed up taking a photograph of his bloody wound while blood was on the bed he was laying on, in November, 2017.** Months later my son kept complaining that he couldn't think straight and kept having diarrhea that went nonstop. He took hours for repeatedly washing his clothes while they were on his body, washing his body, had soap suds on his clothes and his probation officer saw that and thought he was mentally losing it. My son was diagnosed with a psychosis a month after he was arrested. The court never knew about the psychosis and was never informed during the General District Court proceedings. The court was misled and we were misled, and that was why my son was convicted. The police were misled. **The truth is we believe it was carbon monoxide gas poisoning since October 5, 2017, which caused all the different issues between then and the date of his arrest. Even after his arrest he was still writing weird paranoid things and made no sense in his writings. He said he kept his doors unlocked and was afraid to sleep in his bed. Claimed somebody was observing him in the thicket in the neighbor's yard. Case no. CR1900009-00. Appeals actively under 0290-22-3, 0289-22-3, and SCV of CAV no. 0173-22-3.**

As to The Chimney Sweep, they had denied ever conducting any chimney work or estimate for the residence of 310 Forest Street, Martinsville, VA 24112.

The Chimney Sweep also denied having any record of the chimney work done. Yet this month me and my son received from TRUIST bank the signed check by Cassell, meaning that Cassell and The Chimney Sweep was paid $300 for chimney work they denied ever doing and denied ever conducting an estimate despite me having phone records from Comcast/xFinity proving that a phone number belonging to James Cassell, father of JaCody Cassell had been in touch with me multiple times in September and October, 2017. Those are in the records of this Dispute Resolution Unit case.

See attachment: "Scan_13-06-2019_2359.pdf". Also see: "2017-9-27--1056AM.mp3". At the time I had called multiple chimney services in 2017 because of chimney swifts which are birds had gone into our chimney in 2016. My son lives in Apartment 2. He heard bird sounds from the fireplace connected to our chimney in 2016, they were the chimney swifts. The voicemail from Karen Compton of ACE Chimney, “2017-9-27--1056AM.mp3”, she did try reach back to me about the "chimney cap". That was why I had asked The Chimney Sweep for an estimate. I called them around September 26, 2017. See attachment: "2.28-7-1-2022-Call History October 23 2017 4_50AM (pages 1-5 excerpt records)(2).pdf". They have a logo for their business with the phone number, the same phone number as the phone records.

They lied to the Attorney General office about not ever providing an estimate but they had a phone call with me over 3 minutes in length. Can be verified with xFinity/Comcast by subpoena depending on how long they retain phone call records. They lied about providing no service because of $300 check signed by Cassell himself. So he has lied to your office by and through his attorney Eric Ferguson.

Now with their response to my son's complaint they are claiming they never did service but

received $300 signed by Cassell when he cashed in my check. They denied everything including ever providing service in response to my son's complaint giving them a copy of his arrest warrant, Pete Compton witness letter, medical records, and my son is blaming them since 2019 for the carbon monoxide gas poisoning which he believes had caused his indecent exposure. It can cause psychosis, hallucinations, Sinus Tachycardia (found in November, 2017 medical record), abnormal WBC, abnormal MPV-Mean Platelet Volume.

Here is what I am willing to say under affidavit about The Chimney Sweep if needed from the State Police or Attorney General:

1. I am Roberta Hill. I live in Apartment 1, 310 Forest Street, Martinsville, VA 24112. My son lives below my apartment, in Apartment 2. The hot water heater and big radiator heating system is below Apartment 2. Both systems use natural gas heating. They ventilate through the chimney flue or flues. We call it the Triplex because it has three apartments stacked on top of the other. The third has an apartment and then the radiator and hot water heater below my son's apartment.

2. Around September 26, 2017, I was contacting chimney services for them to place a chimney cap or screening to prevent the birds from flying into the chimney of the Triplex. See 2017-9-27--1056AM.mp3. Karen Compton also was aware in 2017 that I had been interested in looking for a chimney cap or some kind of screen to protect our chimney from those birds. I had called The Chimney Sweep on September 26, 2017. Around October 5, 2017, there had been some phone exchanges in the phone logs because that was the date they had scheduled an appointment with me to come by the house.

3. October 5, 2017, I believe it was the young son of that chimney company, cannot say for a complete fact whether it was JaCody Cassell or not as it was almost five years ago. They installed something and the chimney swifts didn't come into the chimney that year. I paid $300 to The Chimney Sweep after they did their work on that chimney. I never contracted services from any other chimney service after when in October 5, 2017 the The Chimney Sweep had finished their job. I did not contract chimney work after The Chimney Sweep in October 5, 2017, until I had asked ACE Chimney Service which employed a service man named Pete Compton to come over in January, 2019. See Scan_13-06-2019_2359.pdf. Prior to ACE Chimney, I had somebody else hired to do work on why water damage was coming into my son's apartment even after my son was arrested. I think that had costed over a thousand dollars I believe. We thought it was foundation issues until later finding out about the carbon monoxide. We thought that it had something to do with the foundation and wasted money on foundation work because it didn't cure the problem which was the carbon monoxide.

4. My son started complaining that he couldn't think straight, didn't want to do things he had planned to work on. He had constant diarrhea and thought it was candida fungus in his stomach but got a colonoscopy I think in maybe 2018. Brian said he spoke with his gastroenterologist doctor and they said he had no candida. The only issues found was the acid reflex being extreme to the point where he had to be on acid reflex medication, some kind of medication temporarily. He still had constant diarrhea. He thought it was the stress of his criminal case in him trying to have it overturned on actual innocence, his 1st 2255 case. He kept paying a lot of money to buy probiotics and used his EBT money to buy these probiotic cultures. His diarrhea had gotten worse afterwards, and he tried different probiotics cultures. He tried alternative medicine to get rid of candida yeast fungus. My son knows that it was the carbon monoxide why he kept having really bad diarrhea in late 2017, and then throughout 2018 until my son's arrest.

5. In 2018, His U.S. probation officer Jason McMurray of Roanoke had concerns with me and my

son Brian David Hill. He saw damage in his ceiling in his Apartment (Apartment 2). Brian had a Jesus Christ wood art on his wall at one point beside the door and right beside the fireplace (where the carbon monoxide was coming out) and it fell from the wall towards the floor but fell on furniture. Other things started looking like they wanted to fall off the wall. Wall had what appeared to be like it was crying tears and it coming down in the wall. The ceiling started breaking apart as each month went by. Part of the ceiling collapsed and had to be redone. Lots of money was spent repairing the damage caused by the carbon monoxide gas.

6. In 2018, I saw my son in the backyard giving weird looks like he didn't act right, he acted like he wasn't himself. Carilion Clinic also did lab work and saw weird abnormal levels in my son's blood in July 31, 2018 according to medical records I reviewed with my son. My son didn't act right. Kept sleeping on my couch which he had not done before, didn't want to go to his own bed. His bowel movements were so bad with his OCD routines where he kept washing his bands for hours, he couldn't take it and kept sleeping on my couch a lot, playing video games then sleeping on my couch in Apartment 1. I had to keep getting onto him about that then at a later time he slept on my couch again. He said in affidavit (2018) that he was afraid to sleep in his own bed but kept the doors unlocked downstairs. Almost as if he wanted to run away from home from something he didn't know what it was. IT WAS CARBON MONOXIDE.

7. After hearing about my son being arrested, I thought it was weird for my son to walk out of the house at night for hours, taking photos of himself. He acted like he was drunk or somebody may have given him drugs.The hospital never completed the ordered lab tests. I reviewed over the medical records from that time with my son which is how I know. We will never know if he was on fentanyl, bath salts, any of those weird drugs. Somebody could have just influenced him that night while he was walking as he has autism and can be manipulated by others into easily comply with demands. Once we found out about the carbon monoxide, my son was back home on bond conditions after the US Court ordered his release in May 2019. I trusted my son afterwards and he was never been charged with indecent exposure afterwards, was never accused of it again. He had not done it before, I feel like carbon monoxide is the truth, it is more provable than some kind wearing a hoodie.

8. In January, 2019, Pete Compton had us look at the white residue on the chimney, white residue in the fireplaces. I think he insisted to us that he could not leave the residence until he removed the carbon monoxide issue. He said it felt hot, the metal tin placed on the chimney flues. He said metal tin was placed on those chimney flues, never seen anything like that as far as he was aware of. The only chimney business which was hired prior to Pete Compton was The Chimney Sweep in October 5, 2017. We paid for gas fire logs and the gas logs may not work anymore as it has been damaged by moisture, that evidence is still in the fireplaces for State Police to use as evidence of the carbon monoxide gas caused by The Chimney Sweep. We paid a lot for remote controlled gas logs to give a little more heat and pretty gas fire on fake logs. Now they are damaged by the water damage caused by the Carbon Monoxide. They are not safe to operate in my opinion.

9. I and my son Brian Hill, Stella and Kenneth Forinash all believe that carbon monoxide had caused my son's indecent exposure. My son never exhibited that behavior since his arrest and release on bond in May, 2019. He never exhibited that behavior prior to September 21, 2018. We all believe it was carbon monoxide gas poisoning.

10. We want The Chimney Sweep to be held accountable if they will not voluntarily admit to their human error. They made a mistake, installing the metal tin on top of the chimney. I felt they are the ones at fault for my son's indecent exposure charge. I knew something was wrong with my son in 2018, but I didn't know what it was. I wish I had known, I would have

had me and my son move temporarily into a motel or his grandparents home if we had known that carbon monoxide was in the home. We would have stopped it earlier if we had known, and my son never would have been charged and convicted of indecent exposure in Virginia.

They denied ever providing a service in response to Brian's complaint but I paid him $300. I don't remember ever receiving any contract copy or paper from them, just paid them the $300 for the service not knowing at the time that it was important to have such paperwork. They didn't provide the estimate paperwork, I didn't realize that maybe they should have done that or were supposed to do that.

Since The Chimney Sweep don't want to admit responsibility for causing the carbon monoxide gas causing my son to be found naked running in the middle of the night, they have reportedly written through lawyer Eric Ferguson to one of the Attorney General offices that they never provided a service and never gave an estimate. Was paid $300 for what they was reported was over nothing. That may be tax fraud or business fraud. It may be criminal neglect. Anyways, if the $300 was paid for a service that had never existed, then fraud had happened, by their own words, fraud of paying for a service that they said had never happened.

If they are continuing to repeatedly deny ever conducting a service for $300 paid to them, the State Police can investigate them for a number of things. Why was $300 paid to them??? Was it reported in the income tax forms??? Was that income by JaCody Cassell by and through his business reported in the tax reporting???

If he is willing to continue denying ever providing a service but got paid $300, no record ever existing, then did The Chimney Sweep receive $300 under the table without reporting that income which means that the State Police could investigate them for possible tax misreporting or tax fraud. They didn't keep records that pertained to their business operations as far back as 2017 in case of any IRS audits or any record audits.

My son also faxed the Henry County Fire Marshals (also over Martinsville) in September, 2019 complaining about this business and asking for an investigation but we were never asked questions about this businesses conduct and what they did on October 5, 2017.

As to me and my son Brian David Hill, we want JaCody Cassell to just accept responsibility of causing metal tin to be installed on top of the chimney flues at my Triplex at 310 Forest Street, Martinsville, VA. The Resolution we seek is either that The Chimney Sweep accepts responsibility and admits in affidavit and under oath to their human error or misdoings about October 5, 2017, that they did install metal tin causing blocked flow of natural gas appliances exhaust. It had caused carbon monoxide damage in Apartment 2, and had caused white residue in fireplaces. It damaged remote controlled gas fire logs in both fireplaces. The State Police can take photographs of the fire log devices which were damaged by the carbon monoxide. If we had used the gas fire logs at the wrong time during the carbon monoxide gas flowing, it could have exploded the Triplex, who knows!!! That the carbon monoxide gas of natural gas had caused my son's medical accident in November, 2017, where he had to had staples on his forehead because of blood pouring out of his forehead, lacerations. Sinus Tachycardia found at the hospital. Sinus Tachycardia can be caused by exposure to carbon monoxide. After what Pete

Compton had told me, Stella Forinash, and Kennneth Forinash, we believe my son fainted in his office, fell and hit his head due to the level of carbon monoxide where he could have died.

We want resolution, we want JaCody Cassell and his business to accept responsibility and write an affidavit to the Judge Giles Carter Greer, write an affidavit to the Circuit Court clerk, to Mr. Hill, and to the Commonwealth's Attorney named Glen Andrew Hall. They should all receive affidavits from Mr. Cassell about what his business had done to us, about the installing of metal tin on October 5, 2017.

We want JaCody Cassell to accept responsibility or for one of his employees who installed the metal tin on top of the chimney to accept responsibility, whoever at his business had done the deed should write an affidavit. He should accept responsibility for installing metal tin on top of the chimney flues on October 5, 2017, and never really checked into the gas appliances that may use those flues before installing the metal tin. They could have done a better job. We we not told it was being completely sealed up that day. I admit I should have asked them more questions but they are supposed to be the licensed experts. Why did JaCody Cassell never asked me about the gas appliances being connected to the chimney they sealed up and why did he not check to see the exhaust coming out of the flues???

That caused the carbon monoxide and my son's wrongful conviction concerning cases no. CR1900009-00. Appeals actively under 0290-22-3, 0289-22-3, and SCV of CAV no. 0173-22-3.

If The Chimney Sweep continues refusing to accept responsibility and refuses to testify in his criminal and Habeas Corpus case, I would like to request that the Office of the Attorney General refer this matter to the Department of State Police for a criminal investigation, and that the State Police should conduct an investigation into The Chimney Sweep in the matter of Martinsville Police criminal complaint in the General District Court which became Circuit Court case no. CR1900009-00. The Chimney Sweep should be part of the criminal investigation by the Virginia State Police.

The things the State Police can investigate The Chimney Sweep for are the following possible criminal acts:

1. Criminal neglect of almost killing and damaging Brian David Hill and Roberta Hill with carbon monoxide gas first caused by human error but when they learned of their error, they denied ever providing a service when responding to the Dispute Resolution Unit of the Attorney General when the bank had records of Cassell signing a $300 check. Denying ever providing an estimate even

after telephone records were provided to the Attorney General's Dispute Resolution Unit and a copy to lawyer Eric Ferguson.

2. Possibly business fraud or destruction of business records which could go down a slippery slope into possibly working under the table aka possibly tax fraud or bank fraud or any kind of fraud it could possibly be concerning. There is some form of fraud, whether it be illegal or legal, it is up to Virginia statutes and how they are interpreted by the courts.

3. Licensed business and/or contractors are usually supposed to be experts and being given expert training. They are supposed to have basic knowledge of carbon monoxide gas and how it can happen when conducting chimney work. They didn't know the consequences of installing a metal tin on top of chimney flues with exhaust of natural gas appliances. Didn't know or understood what installing a metal tin could do to a home or to the people inside.

4. Possibly code violations or infractions.

They have the chance to resolve this before my son wishes to pursue criminal charges against The Chimney Sweep. My son feels if he is to be forever convicted of indecent exposure for being a victim of carbon monoxide and being a victim of the liar JaCody Cassell, my son wants criminal charges against JaCody Cassell and the entire business. My son wants them to be held accountable for what had caused the indecent exposure charge and wrongful conviction. My son says he wants justice or justice. He wants justice, he rather have justice for the bad things which were done to him. He wants JaCody Cassell arrested on whatever crimes he committed where Brian Hill is the victim and The Chimney Sweep being the sole cause of the carbon monoxide. Brian wants him arrested if he continually refuses to accept what his business did and refuses to ever tell The Court and the prosecutor what they did on October 5, 2017.

Brian wants them to file testimony or witness letters with the court on their conduct on October 5, 2017, on installing the metal tin. Brian wants them to do that and he will let it go, he will not pursue criminal charges, but Brian is ready to push for criminal charges as soon as possible to get his life back after he works on pending legal pro se paperwork. He has a new motion or two motions he will file asking for new trial and will likely have to file two more appeals in the Court of Appeals of Virginia. My son will ask two or three more times for a new trial on new evidence he acquires. He is innocent of indecent exposure. JaCody Cassell is on notice that my son wants criminal charges against him for causing the carbon monoxide which made him leave home on September 20, 2018, and was arrested on September 21, 2018.

Thanks,
Roberta Hill
310 Forest Street, Apt. 1, Martinsville, VA 24112.

on behalf of Brian David Hill
310 Forest Street, Apt. 2, Martinsville, VA 24112.

On 08/24/2022 9:44 AM Davis, Demetrice A. <dadavis@oag.state.va.us> wrote:

Dear Mrs. Hill,

This email is to advise you that your complaint has been re-assigned to my attention. Aaron Ziglar will be out of the office on extended leave; however, he did forward the new information that you provided to Mr. Ferguson (see the below email). Please feel free to contact me if you have any questions or concerns.

I see that you have copied others here at the Attorney General's Office regarding your son's complaint. Do you currently have a criminal case that our office is involved in? I do not work in that section so I do not have access to that information.

Thank you,

Demetrice A. Davis | Unit Manager, CIRU and DRU
Office of the Attorney General
202 North 9th Street
Richmond, Virginia 23219
O: (804) 786-1304 | M: | F:
DADavis@oag.state.va.us
https://www.oag.state.va.us

From: Ziglar, Aaron M. <AZiglar@oag.state.va.us>
Sent: Friday, August 19, 2022 10:48 AM
To: eferguson@fergusonlaw.net
Cc: Davis, Demetrice A. <DADavis@oag.state.va.us>
Subject: RE: 953850 Mr. Brian D. Hill VS The Chimney Sweep, PHOTOCOPY OF SIGNED CHECK, CASSELL SIGNED CHECK
Importance: High

Dear Mr. Hill/Mr. Ferguson,
Thank you for authorizing the Virginia Attorney General's Office to assist in the resolution of your dispute. Our Office has received the below written response from the business to your complaint. Please review it carefully and, if you would like to provide a response, please do so in writing within ten (10) business days from the date of this email.
In the event I fail to hear from you in writing within ten business days, the complaint will be closed and no further action will be taken. **Please note that I will be on an extended leave of absence from the office after today. Please direct any questions or written correspondence to Demetrice Davis. Her email address is DADavis@oag.state.va.us and her telephone number is (804) 786-1304.**
This Office will retain the complaint form and copies of all official correspondence regarding the complaint in accordance with the applicable state retention schedule. Under the Virginia Freedom of Information Act, please be advised that these materials will be available to the public for review, upon request.

If you have any additional information or need further assistance, please feel free to contact me or respond to this message.

Sincerely,

Aaron M. Ziglar | Dispute Resolution Specialist
Office of the Attorney General
202 North 9th Street
Richmond, Virginia 23219
O: (804) 786-1244 | M: | F:

AZiglar@oag.state.va.us
https://www.oag.state.va.us

From: ROBERTA HILL <rbhill67@comcast.net>
Sent: Monday, August 15, 2022 10:28 PM
To: Ziglar, Aaron M. <AZiglar@oag.state.va.us>; eferguson@fergusonlaw.net; Coen, Chris <ccoen@oag.state.va.us>; OAGCriminalLitigation <OAGCriminalLitigation@oag.state.va.us>
Cc: Ken & Stella Forinash <kenstella@comcast.net>; kenstella2005@comcast.net; stanleybolten@justiceforuswgo.nl
Subject: Re: 953850 Mr. Brian D. Hill VS The Chimney Sweep, PHOTOCOPY OF SIGNED CHECK, CASSELL SIGNED CHECK
Importance: High

Photocopy of check signed by Mr. Cassell, photocopy from TRUIST Bank after weeks of research the bank needed as per my request. Brian will be filing a new complaint against Mr. Cassell for lying to the Attorney General to dismiss a complaint with factual issues of carbon monoxide gas caused by metal tin being placed on chimney flues by denying everything to the extent where there is lying, with proof that Eric Ferguson and JaCody Cassell lied to the Office of the Attorney General. Lied by claiming never did any work/service or estimate for the Hills. $300 check was signed for by Cassell. His signature in cursive writing does show his signature.

By denying ever conducting any service or estimate, $300 was assumed to have been paid for absolutely nothing. That is business fraud, $300 paid for nothing. TRUIST has the records.

A new complaint will be filed by Brian Hill with the evidence proving that JaCody Cassell lied through his attorney, that may be fraud.

See Virginia Code, Chapter 6. Crimes Involving Fraud, § 18.2-178. Obtaining money or signature, etc., by false pretense.

Since $300 was paid for no service since JaCody Cassell denied everything, then $300 was paid for no service,

therefore **if Cassell wishes to continue denying, then $300 was paid for no service which may be a false pretense. It is your choice Eric Ferguson and JaCody Cassell, if you wish to continue denying that any service was ever done, continue denying any estimate, well then I paid $300 for nothing to you and that isn't true. That may be considered business fraud depending on how the laws are interpreted.**

The U.S. Probation Office may also receive this evidence to conduct their own investigation, the State Police may receive a copy. It is time for Brian David Hill to be acquitted of his state charge of indecent exposure, Brian David Hill = Innocence.

-------- Forwarded Message --------

Subject: Re: 953850 Mr. Brian D. Hill VS The Chimney Sweep
Date: Tue, 12 Jul 2022 14:24:35 +0000
From: Ziglar, Aaron M. <AZiglar@oag.state.va.us>
To:ROBERTA HILL <rbhill67@comcast.net>

CITATION:

The only thing I am interested in is if The Chimney Sweep did any work for them in 2017. If they have a check, then produce it. If not, then

drop this matter.

In The
Circuit Court
For the City of
Martinsville

COMMONWEALTH OF VIRGINIA,
CITY OF MARTINSVILLE,

Plaintiff,

v.

BRIAN DAVID HILL,

Defendant.

IN SUPPORT OF MOTION FOR JUDGMENT OF ACQUITTAL OR NEW TRIAL PURSUANT TO RULE 3A:15 BASED UPON NEW EVIDENCE OF SUSPECT JACODY CASSELL OF BUSINESS ENTITY: THE CHIMNEY SWEEP WHO CAUSED CARBON MONOXIDE POISONING INTOXICATION OF CRIMINAL DEFENDANT WARRANTING NEW TRIAL OR ACQUITTAL

EXHIBIT APPENDIX
VOLUME II OF II
(Pages 1 – 79)

Brian David Hill – Ally of Q
Founder of USWGO Alternative News
310 Forest Street, Apt. 2
Martinsville, Virginia 24112
(276) 790-3505

TABLE OF CONTENTS
VOLUME I OF II

MARTINSVILLE CIRCUIT **Case No.:CR19000009-00**

Commonwealth of VA **vs.** **HILL, BRIAN DAVID**

RECORD INDEX COMPLETED SEPTEMBER 3, 2022

TABLE OF CONTENTS

Document Index	Date Filed	Page
Manuscripts:		
COMPLAINT FILED BY BRIAN DAVID HILL; w/OAG	08/16/2022	1 - 66
USWGO_20220815_194924.PDF –ATTACHMENT UPLOAD	08/16/2022	067 - 069
Confirmation Number: 22-01544 RE: COMPLAINT w/OAG	08/16/2022	070 - 074
EMAIL FROM OAG: Consumer Complaint Submission	08/16/2022	075 - 079

BRIEF OF COMPLAINT MADE BY BRIAN DAVID HILL ON AUGUST 16, 2022 AGAINST "THE CHIMNEY SWEEP" FOR LYING TO THE DISPUTE RESOLUTION UNIT OF ATTORNEY GENERAL IN VIRGINIA ABOUT NEVER CONDUCTING ANY SERVICE ON OCTOBER 5, 2017 OR ANY ESTIMATE AND DAMAGES CAUSED

FILED IN THE CONSUMER PROTECTION SECTION OF THE OFFICE OF THE ATTORNEY GENERAL OF VIRGINIA

I, Brian David Hill, on the date of August 16, 2022, hereby file a second complaint with the Consumer Protection Section of the Office of the Attorney General of Virginia. I file a complaint against JaCody Cassell and against lawyer Eric Ferguson who represented the business entity known as "The Chimney Sweep" at the address of 1590 Blue Bend Rd, Rocky Mount, VA 24151. I file a complaint for damages and defamation/lying caused by JaCody Cassell and/or Attorney Eric Ferguson lying against me and lying against Roberta Hill (my mother) in response to complaint of injury caused by this company and lying about its service of what was done to the chimney at 310 Forest Street, Martinsville Virginia (See **Exhibit 2**:

COMPLAINT EXHIBIT PAGES 42 OF 47). I live in Apartment 2 of the Triplex there. Damages done to me and irreparable harm such as both criminal liability against me and misc. civil damages done to me caused by certain procedure which was done or at least believed to have been done on the date of October 5, 2017. See the ORIGINAL COMPLAINT and all correspondences, filed May 17, 2022.

1. Read the original COMPLAINT and all correspondences under case no. 953850 Mr. Brian D. Hill VS The Chimney Sweep, Dispute Resolution Unit, original complaint. See all correspondence from that case with the responses from legal counsel: Attorney Eric Ferguson who represented JaCody Cassell of the business entity known as The Chimney Sweep. See **Exhibit 1**: COMPLAINT EXHIBIT PAGES 1 through 7 of 47.

2. I believe in my personal opinion and based upon new evidence from TRUIST Bank (See **Exhibit 3**: COMPLAINT EXHIBIT PAGES 43 through 47) and based upon previously submitted documented evidence concerning four phone call log entries (xFinity/Comcast phone records) of phone number (540) 483-2468 the phone number of The Chimney Sweep (See **Exhibit 2**: COMPLAINT EXHIBIT PAGES 8 through 26 of 47), that JaCody Cassell by and through his attorney/lawyer Eric Ferguson had made blatantly false statements to myself, that JaCody Cassell by and through his attorney/lawyer Eric Ferguson had made blatantly false statements to Roberta Hill, and that Eric Ferguson had made blatantly false statements to Aaron

Ziglar, Dispute Resolution Specialist who works for the Dispute Resolution Unit of the Office of the Attorney General, the Commonwealth of Virginia. So essentially, JaCody Cassell had LIED to the Office of the Attorney General in response to Brian David Hill's complaint filed on May 17, 2022 by and through his legal representative Eric Ferguson. Lied about never conducting an estimate and by doing no work or service or anything. **Brian expected The Chimney Sweep business to not remember every little chimney work conducted and expected that he could have simply said he couldn't remember what happened back then, but it is ridiculous for Mr. Cassell to deny everything and act like no service or estimate was ever preformed at all. In contradiction to the signed check received on August 15, 2022, and in contradiction to the telephone records from October, 2017, from xFinity/Comcast concerning account phone number 276-790-3505. The Attorney can subpoena to verify all of this evidence and authenticate it.**

3. The dispute resolution process including any response(s) to a complaint is voluntary as repeatedly stated by Aaron Ziglar, JaCody Cassell and his legal representative did not have to respond to the Office of the Attorney General in response to Brian David Hill's original complaint, dated May 17, 2022, original COMPLAINT under case no. 953850 Mr. Brian D. Hill VS The Chimney Sweep, Dispute Resolution Unit, original complaint. See citation of email message from Aaron Ziglar dated June 10, 2022 (not included in exhibits due to limited file size

limits):

CITATION:

Subject: RE: Tell Brian this is the receipt he wants. Let me know if you got it. (Re: 953850)

From: "Ziglar, Aaron M." <AZiglar@oag.state.va.us>

Date: 6/10/2022, 10:54 AM

To: ROBERTA HILL <rbhill67@comcast.net>

"You should be aware that the dispute resolution process is not a legal process, we are not attorneys and cannot provide legal advice – thus, there is no final decision that our Office will make. Participation is voluntary – we cannot compel either party to respond, offer or accept the other party's offer of resolution. If a mutually agreeable resolution cannot be obtained we typically advise the complainant of other options available to pursue the complaint in court, at which point our Office is no longer involved."

4. JaCody Cassell did respond by and through his legal representative (Attorney) Eric Ferguson who blatantly ignored the evidence of xFinity/Comcast telephone records (including the phone numbers and length of time of the phone calls in the Comcast/xFinity records) between the official phone number of the business entity (540) 483-2468 known as The Chimney Sweep and Roberta Hill at (276) 790-3505 (See **Exhibit 2**: COMPLAINT EXHIBIT PAGES 8 through 26 of 47), ignored the check stub carbon copy photograph (See **Exhibit 2**: COMPLAINT EXHIBIT PAGES 36 OF 47), and **this lawyer refused to wait patiently for weeks while the bank researched the records** and **pushed for dismissal of the complaint** (See **Exhibit 1**: COMPLAINT EXHIBIT PAGES 5 OF 47) **until Aaron Ziglar did**

dismiss the complaint on July 18, 2022 refusing to wait for the bank records from TRUIST which would have proven Brian Hill's claims that The Chimney Sweep did get paid for chimney work in the amount of $300, a business usually gets paid to render a service or product for the fee paid, the bank records from TRUIST which was formerly SunTrust Bank at the time when Roberta Hill had an account in 2017 at that time. The check record proved that Cassell did withdrawn or cashed in the check by signing for the check on October 6, 2017 when the money was transferred out of Roberta Hill's bank account. See **Exhibit 3**: COMPLAINT EXHIBIT PAGES 45 and 46 OF 47.

5. The evidence I have received thanks to Roberta Hill who gave me the envelope mailing from the TRUIST Bank (See **Exhibit 3**: COMPLAINT EXHIBIT PAGES 47 OF 47) who sent the envelope mailing dated August 12, 2022 (See **Exhibit 3**: COMPLAINT EXHIBIT PAGES 47 OF 47). That envelope contains a letter (See **Exhibit 3**: COMPLAINT EXHIBIT PAGES 44 OF 47) about $300 paid by check to The Chimney Sweep, and contains a photocopy of the check (See **Exhibit 3**: COMPLAINT EXHIBIT PAGES 45 OF 47), YES THE ORIGINAL CHECK and not just the check stub carbon copy. I have a printed digital photocopy made by and retained by the bank of the signed check from Cassell, YES CASSELL. Even in cursive writing I can understand that the last name says "cassell".

6. Anyways, the responses which JaCody Cassell by and through his lawyer

Eric Ferguson and his lawyer's additional responses, attached to this complaint entirely as **EXHIBIT 1** (cumulative responses; See **Exhibit 1**: COMPLAINT EXHIBIT PAGES 1 through 7 of 47), all show that JaCody Cassell didn't just deny everything and anything to do with ever conducting any chimney work done at 310 Forest Street, Martinsville, Virginia 24112 (See **Exhibit 1**: COMPLAINT EXHIBIT PAGES 4 through 5 of 47), he outright denied everything to the point where he was caught lying (See **Exhibit 2**: COMPLAINT EXHIBIT PAGES 27 through 36 of 47). The telephone records would prove a major probability along with the "cassell" signed photocopy of the check cashed in at the bank that an estimate was given on September 26, 2017 when combined with all other cumulative evidence. However, the check record, the photocopy of that check cashed in and signed for by Cassell, for $300 proved that The Chimney Sweep business entity was paid on October 5, 2017 by check (See **Exhibit 3**: COMPLAINT EXHIBIT PAGES 45 of 47), and that check was cashed in on October 6, 2017 (See **Exhibit 3**: COMPLAINT EXHIBIT PAGES 46 of 47), signed by a "Cassell". JaCody Cassell or James Cassell??? Take your pick.

7. This secondary COMPLAINT is to prove to the Office of the Attorney General that JaCody Cassell by and through his legal representative Eric Ferguson (See **Exhibit 1**: COMPLAINT EXHIBIT PAGES 4 through 5 of 47) had lied to an employee of the Office of the Attorney General. That employee happens to be Aaron

Ziglar, Dispute Resolution Specialist, of the Dispute Resolution Unit. Lying to a government legal official or any government official in the performance of his or her duties may or may not be a crime, depending on the state or commonwealth statutes, especially if the lying amounts to that of fraud. However, this COMPLAINT must be filed with the new evidence, evidence that was not filed in the case of the original COMPLAINT under case no. 953850 Mr. Brian D. Hill VS The Chimney Sweep, Dispute Resolution Unit, original complaint. The reason this new evidence has to be filed in this NEW COMPLAINT was because Aaron Ziglar refused to hear anything further and refused to accept any further evidence because Attorney Eric Ferguson was insistent upon the case dismissal and refused to wait for the check records from the bank, likely out of fear that it would hurt his client with this evidence proving that his client lied to the Commonwealth's Office of the Attorney General, by lying to the Dispute Resolution Unit. Thus this new COMPLAINT is being filed to put on the record that Eric Ferguson who represented JaCody Cassell had lied to the Dispute Resolution Unit, lied to Aaron Ziglar to make him biased and prejudiced enough to dismiss the complaint made on May 17, 2022, and refused to wait for the check records from TRUIST.

8. That means the claim by Attorney Eric Ferguson that the complaint on May 17, 2022 is baseless, those words mean nothing from a LIAR. They were caught lying to Aaron Ziglar and the attorney was hoping to prejudice the specialist Aaron

Ziglar enough to have the complaint dismissed to prevent anybody from the Office of Attorney General from seeing the evidence, the actual evidence. At one point in one correspondences, this attorney tried to make out like the complaint was only to: "make these continued rantings about criminal charges and mistreatment of Mr. Hill have nothing to do with this complaint." (See **Exhibit 1**: COMPLAINT EXHIBIT PAGES 6 of 47). However, this Attorney did inform Aaron Ziglar that: "If they have a check, then produce it. If not, then drop this matter." The photocopy of the check signed by "cassell" was produced. Eric Ferguson and JaCody Cassell both have lied and defamed the COMPLAINANT BRIAN DAVID HILL to have his complaint dismissed on May 17, 2022. Now this second complaint is relevant and is material to the ORIGINAL COMPLAINT and all correspondence in ORIGINAL COMPLAINT dated May 17, 2022, original COMPLAINT under case no. 953850 Mr. Brian D. Hill VS The Chimney Sweep, Dispute Resolution Unit, original complaint. Again, the claim by Attorney Eric Ferguson that the complaint is baseless, those words mean nothing from a LIAR. Because there are two lies by this Attorney, one lie that there was no estimate and the proof to counter that is the 3 minutes 11 seconds (See EXHIBIT PAGES 25 OF 47) telephone call length in the phone call logs. The other lie is no work was ever done for Roberta Hill. Proven as a lie by the photocopy of the check, signed by "cassell". This means the entire COMPLAINT filed on May 17, 2022 is considered true on its merits. When one party aka one side

is caught in intentional lying or falsification, which then the other party is usually awarded victory on the merits. Also known throughout the court system as the coined term: “FRAUD ON THE COURT” except it is FRAUD ON THE DISPUTE RESOLUTION UNIT, FRAUD ON THE ATTORNEY GENERAL. The entire complaint by Brian David Hill on May 17, 2022, all of its claims are in fact true because the respondent to that complaint had lied by complete denials. The Dispute Resolution Unit is a victim of FRAUD by JaCody Cassell by and through his legal counsel. Therefore the complaint has merit, and is not baseless since the licensed attorney and the licensed business of The Chimney Sweep are proven to be LIARS.

9. It should be investigated by the Attorney General and by the Department of State Police whether the false statements by Attorney Eric Ferguson who represented JaCody Cassell of the business entity known as The Chimney Sweep may be a criminal offense or not to lie to an employee of the Dispute Resolution Unit or lying to an employee of the Office of the Attorney General since that Unit is part of that office. It is a government office. Usually supplying fraudulent claims to a government office is a wrongdoing. That is why Aaron Ziglar warned that all responses are voluntary, because it is better to not respond at all than lie to the state. JaCody Cassell didn’t have to respond to the complaint at all but he did and lied about it with complete denials.

10. The business entity known as The Chimney Sweep and Mr. JaCody Cassell

should be investigated for criminal negligence or criminal fraud or business fraud which had harmed and almost killed Brian David Hill in November, 2017 and almost had caused Brian Hill to have been killed in September, 2018, but instead was wrongfully arrested due to the carbon monoxide gas caused by placing of metal tin on top of the chimney flues at 310 Forest Street, as the original complaint had photocopy of hospital records regarding Mr. Hill falling and injuring himself, and Mr. Hill asserted that he believed it was caused by carbon monoxide poisoning. All claims in that original complaint have merit since JaCody Cassell had been caught lying, twice.

11. It should be investigated whether the false statements by Attorney Eric Ferguson who represented JaCody Cassell may be a form of business fraud or defrauding the Commonwealth of Virginia in response to a complaint which did not favorably paint the business entity known as The Chimney Sweep in a positive light. They simply made a human error on October 5, 2017 which any private contracting business or home improvement business can do. All can produce human error which isn't a crime. The crime herein if not simply just a crime of bearing false witness is that this business is willing to lie to the Office of Attorney General by lying to the Dispute Resolution Unit, to protect its own interests and to the disarray of Brian David Hill, to his misery and suffering, to almost being dead, twice, and wrongful imprisonment, and wrongful incarceration. They caused a lot of Brian's misery and

years of misery and they simply lie to get away with their misdoings. They should be criminally investigated by whatever legal means are necessary at the disposal of any Law Enforcement entity.

12. Since Attorney Eric Ferguson who represented JaCody Cassell had made response statements of a "wall of denials" (See **Exhibit 2**, COMPLAINT EXHIBIT PAGES 17 OF 47) denying everything including denying ever conducting an estimate and denying ever doing any kind of business work or chimney work in 2017 for Roberta Hill or even at the address of 310 Forest Street, Martinsville, VA, the photocopy of the check, signed for by Cassell, in the amount of $300, and the telephone records prove that The Chimney Sweep had lied to an employee working for the Office of the Attorney General. Brian Hill is not a lawyer and cannot say for certain whether a criminal act was committed by them or not. However, this feels like fraud, lies to hurt a victim of them. The Chimney Sweep and their legal representative has victimized and defamed Brian David Hill by denying ever doing any work or estimate at all, and don't even care about the check records or telephone records or anything. Just another greedy lawyer who gets paid to care less about a victim of a business. Brian isn't just a victim of the carbon monoxide poisoning caused by an employee of The Chimney Sweep's mistakes, he is a victim of them lying about Brian Hill's complaint. Lying about no work being done.

13. JaCody Cassell had completely denied doing any chimney work and denied

giving any estimate. Since the check photocopy from TRUIST Bank proves otherwise, the wall of denial made to an employee working for the GOVERNMENT of Virginia aka the Commonwealth of Virginia, Office of the Attorney General.

14. Receiving $300 while claiming to have done no work and no estimate for Hill aka Roberta Hill. If that is the route that JaCody Cassell wishes to go and deny everything, then he received $300 for no service rendered which may be considered business fraud. He should give that money back to Roberta Hill if he truly wishes to further assert that he did not conduct any service to warrant being paid $300.

15. See Virginia Code, Chapter 6. Crimes Involving Fraud, § 18.2-178. Obtaining money or signature, etc., by false pretense. If JaCody Cassell wishes to continue denying ever conducting a service and deny everything, then he was signing for receiving (by check) $300 for nothing, and that may be considered being paid money under a false pretense. Roberta Hill paid The Chimney Sweep to conduct chimney work, and that business is acting like they never done any work for Roberta Hill. That is business fraud, could be check fraud, who knows what kind of fraud that is, fraud, whatever fraud it is.

16. It is clear that since Eric Ferguson who is a licensed attorney who represented JaCody Cassell, that Mr. Cassell had fully denied any and all involvement of conducting any estimate and business activity (work) involving

Roberta Hill, then $300 was claimed by them as to not being paid for any service according to Mr. Cassell's own wall of denials, then he may be liable for possibly obtaining money fraudulently or under false pretenses under Virginia Code, Chapter 6. Crimes Involving Fraud, § 18.2-178. Obtaining money or signature, etc., by false pretense. $300 by check being paid to a business who claimed in response to Brian Hill's COMPLAINT to have provided no service, made such claim to Aaron Ziglar of the Office of the Attorney General.

17. Last but not least, it is clear that JaCody Cassell is being childish, being a difficult witness by not ever accepting responsibility for any of his mistakes, his company's mistakes or any wrongdoing by any employee of his company known as The Chimney Sweep. He doesn't want to admit when he did wrong or when one of his employees did wrong. That is not a good business model but that is a crappy business model. With this behavior, Brian Hill and his family and friends will never hire this business, and Roberta Hill will never hire this business again. They have shown the kind of nasty people that they are. They care more about maintaining their reputation than they do about their own customers and customer's family members they damage and cause to be wrongfully imprisoned after committing an abnormal behavior caused by carbon monoxide gas poisoning exposure caused by their misdoing. It is clear they will never do the right thing and never admit to causing the problem that they did cause. They will never admit to any mistake that they did. It is

clear as day, they are not a good company, in Brian's opinion.

18. The photograph of the very home which was damaged by The Chimney Sweep by carbon monoxide gas, the very home which metal tin was installed on the chimney flues is photographed by Google Street View, year 2022. This same photo was filed with the U.S. District Court asking that Mr. JaCody Cassell as well as others in a proposed witness list be compelled to be a witness in the federal criminal case to testify about the chimney work of placing metal tin on top of chimney flues causing carbon monoxide poisoning (long-term) since October 5, 2017, after the work was completed. See **Exhibit 2**, COMPLAINT EXHIBIT PAGES 42 OF 47. White residue was trying to find a way out of the side of the chimney due to the natural gas having nowhere to exhaust, but the white residue would have been more noticeable in 2018 and January, 2019.

RESOLUTION REQUESTED BY BRIAN HILL TO THE ATTORNEY GENERAL; RESOLUTION REQUESTED OF THE DAMAGES AND IRREPARABLE HARM CAUSED BY "THE CHIMNEY SWEEP" BUSINESS

Brian David Hill requests the following remedies from "The Chimney Sweep" business from Rocky Mount:

1. As originally requested in the COMPLAINT dated May 17, 2022, Brian David Hill would like whoever had worked on the chimney on October 5, 2017, to

simply admit to that procedure on that date, in writing and under oath, affidavit. Admit to placing the metal tin over the chimney flues at 310 Forest Street, Martinsville, Virginia 24112. It all needs to be admitted under oath and filed with the Attorney General, a copy to myself Brian Hill, a copy to the Clerk of the Circuit Court, a copy to the Hon. Giles Carter Greer, and a copy with the Commonwealth's Attorney in my criminal case.

2. Brian David Hill would like acquittal of his indecent exposure charge since the carbon monoxide poisoning caused or majorly contributed to the charge against Brian David Hill because he was exposed to gas exhaust due to the placing of metal tin on the chimney flues presumably by "The Chimney Sweep" had led to such issues with psychosis and presumably hallucinations caused by the carbon monoxide. If not acquittal then Brian David Hill would like his criminal case legal expenses including legal fees demanded by the Commonwealth to be entirely reimbursed by "The Chimney Sweep" business for such damages and liability caused by their incompetence. The reason why reimbursement is requested is because Brian David Hill's only source of income is his SSI disability money. He cannot afford to pay the Commonwealth of Virginia for legal expenses accrued as a result of him being forced to continually fight his criminal case caused by weird abnormal behavior caused by the Carbon Monoxide poisoning caused by prolonged exposure to the carbon monoxide gas.

3. Brian David Hill would like “The Chimney Sweep” to be witnesses in any jury trial or bench trial or any hearing in the criminal case of City of Martinsville and Commonwealth of Virginia v. Brian David Hill, criminal case no. CR19000009-00. They are at fault for the carbon monoxide because of the metal tin placed on top of the chimney flues.

4. Brian David Hill is not filing this complaint on Roberta Hill’s behalf but Brian is filing this because of the years of suffering and mental health damages and anguish caused by the criminal case caused by the exposure to carbon monoxide. Brian may ask her to email this complaint or submit this complaint and exhibits. She is not the complainant but she is working to communicate with the Office of the Attorney General and communicate with Attorney Eric Ferguson at Brian Hill’s insistence because he is not allowed to use the internet at this time. Roberta Hill can file a separate complaint if she feels she is entitled to any relief or resolution. Brian Hill will testify that she has been damaged too by the carbon monoxide. Her vision is not as good requiring her to wear glasses.

5. That the Office of the Attorney General conduct an investigation and find through an investigation on whether they have committed any criminal acts by claiming that they did not ever do any work for Roberta Hill or Hills.

6. That the Office of the Attorney General conduct an investigation and find through an investigation on why JaCody Cassell had lied in the first place.

Brian asks for resolution against “The Chimney Sweep” as soon as possible for resolution in his criminal case and for resolution outside of his case for the damages and mental health issues on September 21, 2018 and thereafter, caused by the Carbon Monoxide caused by metal tin placed on top of the chimney flues found by Pete Compton and believed to be caused by somebody working for “The Chimney Sweep” on October 5, 2017. Brian demands an investigation into the misconduct by somebody working for The Chimney Sweep.

Brian asks for resolution against “The Chimney Sweep” as soon as possible for resolution in the issue that JaCody Cassell and Eric Ferguson have both participated in lying with a wall of denials when a check was signed by “cassell” and $300 was paid to The Chimney Sweep and then later Mr. Cassel acts as though they never done any chimney work and have no records, then they need to give that $300 back if they insist with claims of doing no such work and have defrauded Roberta Hill and Brian Hill and Aaron Ziglar with lying about no chimney work and no estimate. They have two choices, Cassell needs to admit to what his business had done or at least admit to even preforming a service warranting the check paid for $300, or face the consequences for receiving $300 for what Cassell claimed is no service which may be a criminal act of a business receiving money under false pretenses. It’s their choice what path they want to take on this. Brian Hill will push for State Police to criminally investigate The Chimney Sweep. Brian will not tolerate scum like this. Brian is

VERY ANGRY. Brian wants resolution to the damages and Brian being victimized by such a business.

Respectfully Filed/Submitted on August 16, 2022,

BRIAN DAVID HILL
Pro Se

Brian D. Hill
Signed
Brian D. Hill

Brian David Hill – Ally of Qanon
Founder of USWGO Alternative News
310 Forest Street, Apt. 2
Martinsville, Virginia 24112
(276) 790-3505
Pro Se Appellant
https://JusticeForUSWGO.wordpress.com
https://JusticeForUSWGO.nl

EXHIBIT LIST

EXHIBIT LIST	EXHIBIT PAGES

EXHIBIT 1: Re 953850 Mr. Brian D. Hill VS The Chimney Sweep 2; Re 953850 Mr. Brian D. Hill VS The Chimney Sweep(2); Re 953850 Mr. Brian D. Hill VS The Chimney Sweep	1-8
EXHIBIT 2: 1.53-7-7-2022-Letter to Aaron Ziglar and Eric Ferguson - July 6, 2022(8); 2.28-7-1-2022-Call History October 23 2017 4_50AM (pages 1-5 excerpt records)(2); 3.Letter to Aaron Ziglar and Eric Ferguson - July 23, 2022(3) w_evidence; 4.Photograph of 310 Forest Street	9-42
EXHIBIT 3: USWGO_20220815_194924; USWGO_20220815_202415	43-47

47 pages total

EXHIBIT 1

Subject: Re: 953850 Mr. Brian D. Hill VS The Chimney Sweep 2
From: "Ziglar, Aaron M." <AZiglar@oag.state.va.us>
Date: 7/6/2022, 9:56 AM
To: "rbhill67@comcast.net" <rbhill67@comcast.net>

Dear Mr. Hill,
Thank you for authorizing the Virginia Attorney General's Office to assist in the resolution of your dispute. Our Office has received the below written response from the business to your complaint. Please review it carefully and, if you would like to provide a response, please do so in writing within ten (10) business days from the date of this email. In the event I fail to hear from you in writing within ten business days, the complaint will be closed and no further action will be taken.

This Office will retain the complaint form and copies of all official correspondence regarding the complaint in accordance with the applicable state retention schedule. Under the Virginia Freedom of Information Act, please be advised that these materials will be available to the public for review, upon request.

If you have any additional information or need further assistance, please feel free to contact me or respond to this message.

Sincerely,

Office of the Attorney General

Aaron M. Ziglar | Dispute Resolution Specialist
Office of the Attorney General
202 North 9th Street
Richmond, Virginia 23219
O: (804) 786-1244 | M: | F:
AZiglar@oag.state.va.us
https://www.oag.state.va.us

From: Eric Ferguson <eferguson@fergusonlaw.net>
Sent: Tuesday, July 5, 2022 10:54 AM
To: Ziglar, Aaron M. <AZiglar@oag.state.va.us>
Subject: Re: 953850 Mr. Brian D. Hill VS The Chimney Sweep 2

Mr. Ziglar--I have reviewed all of these emails and Ms. Hill has been sending them to me regularly. I want to make this clear--neither my client nor myself are trying to do anything to Mr. Hill. We know nothing about what he has been through and it sounds like a lot. We are not trying to prevent him from being successful in his efforts. We are not trying to hurt his efforts. My client is trying to be as honest as he can be in this complaint. My client does not remember doing any work for the Hills in 2017 or ever. He does not believe that he has done any work for them. He has no records of ever providing estimates or doing any work for them.

I have reviewed the medical records provided with the complaint. I do not see where any medical personnel has made any diagnosis of carbon monoxide poisoning involving Mr. Hill. I tried to go over those records carefully and I do not think that I missed anything. If I did, I apologize for missing it.

I understand that Mr. Hill is trying to clear his name and I appreciate his efforts. However, my client cannot accept responsibility for something he does not recall. I cannot and will not debate Mr. Hill's medical conditions. I will leave that to him and his doctors. What they prove or show is also between him, his doctors and the courts.

I can only reiterate that my client does not recall, and has no records of, ever doing any work for the Hills.

Eric H. Ferguson, Esq.

RHODES & FERGUSON ATTORNEYS AT LAW

305 S. Main Street

Rocky Mount, VA 24151

540-483-5234 (phone)

540-483-5763 (fax)

eferguson@fergusonlaw.net

PLEASE NOTE NEW EMAIL ADDRESS

Subject: Re: 953850 Mr. Brian D. Hill VS The Chimney Sweep
From: "Ziglar, Aaron M." <AZiglar@oag.state.va.us>
Date: 6/29/2022, 9:44 AM
To: "rbhill67@comcast.net" <rbhill67@comcast.net>

Dear Mr. Hill,
Thank you for authorizing the Virginia Attorney General's Office to assist in the resolution of your dispute. Our Office has received the below written response from the business to your complaint. Please review it carefully and, if you would like to provide a response, please do so in writing within ten (10) business days from the date of this email. In the event I fail to hear from you in writing within ten business days, the complaint will be closed and no further action will be taken.

This Office will retain the complaint form and copies of all official correspondence regarding the complaint in accordance with the applicable state retention schedule. Under the Virginia Freedom of Information Act, please be advised that these materials will be available to the public for review, upon request.

If you have any additional information or need further assistance, please feel free to contact me or respond to this message.

Sincerely,

Aaron M. Ziglar
Dispute Resolution Specialist
Office of the Attorney General
202 North 9th Street
Richmond, Virginia 23219
(804) 786-1244 Office
AZiglar@oag.state.va.us
http://www.ag.virginia.gov



From: Eric Ferguson <eferguson@fergusonlaw.net>
Sent: Tuesday, June 28, 2022 10:54 AM
To: Ziglar, Aaron M. <AZiglar@oag.state.va.us>
Subject: Re: 953850 Mr. Brian D. Hill VS The Chimney Sweep

Mr. Ziglar--Thanks for speaking with me yesterday and allowing me to submit this response in email format. I really appreciate your working with me and my client on submitting this response to the complaint of Mr. Hill.

My client is Jacody Cassell and he is the owner of The Chimney Sweep in Franklin County, VA. He has been the owner since 2016. His father had owned it from 1976 until 2016. Jacody has always worked for this company. His son works for him now and intends to take over the company one day.

The Chimney Sweep is a very reputable company and has had very few complaints made against them for their work. My client claims to have no knowledge of Brian D. Hill and Roberta Hill. My client has no records of ever providing an estimate for work to be done at the home of the Hills in Martinsville and he has no evidence of ever doing any work

for the Hills at a home in Martinsville. My client has no record of ever being paid to do any work for the Hills. More importantly, until May 17, 2022, when Mr. Hill filed this complaint, my clients were never told about any of these claims.

My client has never done any work for the Hills. They have never received any complaints from the HIlls. One would think that it would not take 3-5 years to make a complaint. Mr. Hill is seeking damages for payment of his legal expenses as a result of criminal charges in 2018.

Mr. Hill's complaint is baseless and he has no evidence to support it. He has offered no contract, no estimate, and no evidence of payment. He has nothing with which to back up his complaint. Even if he did, the statute of limitations for bodily injury is two years. The appropriate statutes regarding contracts are 3 years for verbal agreements and 5 years for written agreements. Since he has no written one, one must assume that if he had an agreement, it would be verbal and therefore beyond that statute of limitation as well.

On behalf of The Chimney Sweep, I ask that this complaint be dismissed. There is no evidence to support this claim.

Please advise of any next step. Thank you for your time and consideration.

Eric H. Ferguson, Esq.

RHODES & FERGUSON ATTORNEYS AT LAW

305 S. Main Street

Rocky Mount, VA 24151

540-483-5234 (phone)

540-483-5763 (fax)

eferguson@fergusonlaw.net

PLEASE NOTE NEW EMAIL ADDRESS

Subject: Re: 953850 Mr. Brian D. Hill VS The Chimney Sweep
From: "Ziglar, Aaron M." <AZiglar@oag.state.va.us>
Date: 7/12/2022, 10:24 AM
To: ROBERTA HILL <rbhill67@comcast.net>

Dear Mr. Hill,
Thank you for authorizing the Virginia Attorney General's Office to assist in the resolution of your dispute. Our Office has received the below written response from the business to your complaint. Please review it carefully and, if you would like to provide a response, please do so in writing within ten (10) business days from the date of this email. In the event I fail to hear from you in writing within ten business days, the complaint will be closed and no further action will be taken.

This Office will retain the complaint form and copies of all official correspondence regarding the complaint in accordance with the applicable state retention schedule. Under the Virginia Freedom of Information Act, please be advised that these materials will be available to the public for review, upon request.

If you have any additional information or need further assistance, please feel free to contact me or respond to this message.

Sincerely,

Office of the Attorney General

Aaron M. Ziglar | Dispute Resolution Specialist
Office of the Attorney General
202 North 9th Street
Richmond, Virginia 23219
O: (804) 786-1244 | M: | F:
AZiglar@oag.state.va.us
https://www.oag.state.va.us

From: Eric Ferguson <eferguson@fergusonlaw.net>
Sent: Monday, July 11, 2022 9:51 AM
To: Ziglar, Aaron M. <AZiglar@oag.state.va.us>
Subject: Re: 953850 Mr. Brian D. Hill VS The Chimney Sweep 2

Mr. Ziglar--I have nothing new to offer to the Attorney General's Office. These continued rantings about criminal charges and mistreatment of Mr. Hill have nothing to do with this complaint. The only thing I am interested in is if The Chimney Sweep did any work for them in 2017. If they have a check, then produce it. If not, then drop this matter.

Eric H. Ferguson, Esq.

RHODES & FERGUSON ATTORNEYS AT LAW

305 S. Main Street

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PLEASE NOTE NEW EMAIL ADDRESS

EXHIBIT 2

LETTER TO OFFICE OF AARON M. ZIGLAR, ATTORNEY GENERAL, DISPUTE RESOLUTION UNIT, AND ATTORNEY ERIC FERGUSON

RE: Case number: 953850; Mr. Brian D. Hill VS The Chimney Sweep

WEDNESDAY, JULY 6, 2022
EDITED, FINISHED ON THURSDAY, JULY 7, 2022, 12:53 AM

ATTN: Aaron M. Ziglar Dispute Resolution Specialist Office of the Attorney General 202 North 9th Street Richmond, Virginia 23219 Phone: (804) 786-1244 FAX: (804) 225-4378 AZiglar@oag.state.va.us	**ATTN: Eric H. Ferguson, Esq.** RHODES & FERGUSON ATTORNEYS AT LAW 305 S. Main Street Rocky Mount, VA 24151 eferguson@fergusonlaw.net Phone: 540-483-5234 FAX: 540-483-5763

To Whom it may Concern,

I would like to reach out to you more personally rather than Roberta Hill conveying messages to you.

I ask Aaron Ziglar to wait until I and Roberta Hill receive a copy of her bank account record and/or check record proving that $300 was paid to The Chimney Sweep.

Once I do, I will have the evidence proving that Mr. JaCody Cassell is lying about not doing any chimney work for Roberta Hill at 310 Forest Street, Martinsville, Virginia 24112. Lying about no estimate. Lying through his representative Attorney Eric Ferguson who is simply repeating what his client is directing him to do. As it is ethical to always do what your client asks you to do, though my court appointed lawyers did not do much of that if any at all.

It is admirable Attorney Eric that you will do whatever your client asks you to do. Even if certain statements Attorney Ferguson had said can be proven to be untrue.

In this Attorney's statements from his client, Mr. Cassell, owner of the business titled as “The Chimney Sweep” in Rocky Mount, Virginia. Attorney Eric Ferguson said

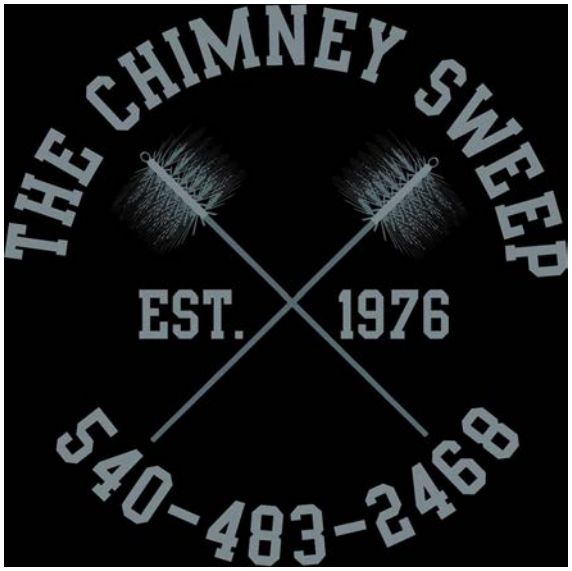
some statements which I will directly prove are not truthful.

CITATION FROM ATTORNEY ERIC FERGUSON'S RESPONSE DATED JUNE 29, 2022: “My client has never done any work for the Hills.”

The formal written requests from Roberta Hill were put in to both the FDIC, SunTrust (failed bank) through FDIC, and TRUIST bank. I successfully faxed TRUIST bank in both Martinsville branch and Ridgeway branch. I am simply waiting for the records.

Once I have the bank records, the photograph of the check stub, it will prove that $300 was paid to The Chimney Sweep in October, 2017, on the date which the money was transferred out of Roberta Hill's bank account in October, 2017. The check was dated as to being October 5, 2017.

I am aware that SunTrust in 2017 scans checks and keeps certain electronic records such as photocopies of cashed checks. The check date on the photograph of the check stub as to being OCTOBER 5, 2017 also backs the phone records of 276-790-2505 phone account on xFinity/Comcast. It backs that Roberta Hill made a phone call to the phone number (540) 483-2468, US Phone Book printout proved that the phone number belonged to James Cassell, who was the owner of the business known as The Chimney Sweep. Roberta opened the image to tab browser feature at the BBB profile for The Chimney Sweep to view the image logo of The Chimney Sweep and it was a large image to her surprise.



Notice the logo for The Chimney Sweep is the exact same phone number as the caller logs supporting that two times of phone calling in the telephone records.

Roberta Hill received a phone call from (540) 483-2468 at around 10:04 AM EST, Thursday, Oct 5, 2017, lasted 23 seconds. Roberta Hill later made a phone call back to that number (540) 483-2468 at around 1:22 PM EST, Thursday, Oct 5, 2017, lasted 36 seconds. At the time Mr. Cassell, whichever Cassell it was had used the mobile cell phone provider U.S. CELLULAR. That we can prove.

What would cause The Chimney Sweep or Mr. Cassell to even be involved with calling Roberta Hill on October 5, 2017?

Roberta Hill made a longer phone call to that same number (540) 483-2468 at around 11:26 AM EST, Tuesday, September 26, 2017, lasted 3 minutes and 11 seconds. At the time Mr. Cassell, whichever Cassell it was had used the mobile cell phone provider U.S. CELLULAR. That we can prove. U.S. Cellular is his cell phone provider at the time. Roberta Hill did a phone lookup at a site called freecarrierlookup.com and printed the record for mne in pdf format. It is still at the cell phone provider of "US Cellular Corp." the exact same phone provider name coming up in the caller ID in one of the phone call log entries.

UNKNOWN	(540) 483-2468	0s	PLACED	11:32 AM EST	Tue.	Sep 26, 2017
UNKNOWN	(540) 483-2468	3m 11s	PLACED	11:26 AM EST	Tue.	Sep 26, 2017
UNKNOWN	(540) 483-2468	36s	PLACED	1:22 PM EST	Thu.	Oct 5, 2017
U.S. CELLULAR	(540) 483-2468	23s	RECEIVED	10:04 AM EST	Thu.	Oct 5, 2017

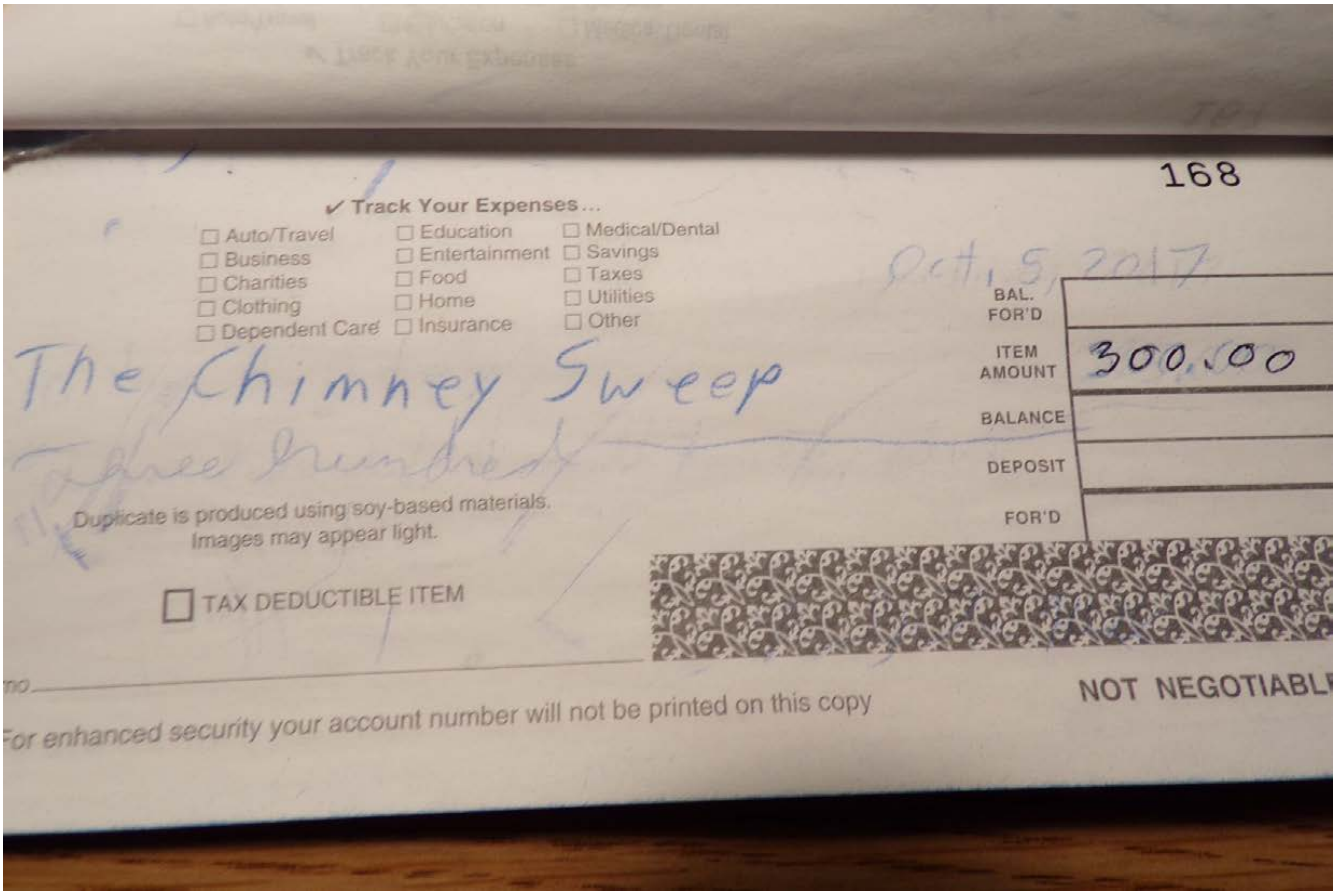
Once I have a pdf or scanned copy of Roberta Hill's bank account records and proof of $300 leaving her bank account, I will have her sign an affidavit that the photograph of the check stub is a photo of her check stub and named as to being paid to "The Chimney Sweep" on the date of "Oct. 5, 2017" in the amount of $300. Her affidavit, the bank account records, and the telephone records prove beyond doubt that The Chimney Sweep was doing an estimate or doing business of some sort with Roberta Hill, in 2017.

Why would Roberta Hill pay $300 to a business called "The Chimney Sweep" on the exact same day of the telephone call logs proving that Mr. Cassell's cell phone number from provider U.S. CELLULAR was in two phone call log entries on the exact

same day as the check stub??? Both placed and received calls.

CITATION FROM ATTORNEY ERIC FERGUSON'S RESPONSE DATED JUNE 29, 2022: “Mr. Hill's complaint is baseless and he has no evidence to support it. He has offered no contract, no estimate, and no evidence of payment. He has nothing with which to back up his complaint.”

We do have evidence of payment. The bank account records will prove that the money was drawn out of her bank account and that money was being paid for by check to “The Chimney Sweep”.



The reason Roberta Hill has no contract was because she was never given this paper contract to my knopwledge, she cannot find this paper contract. I find it odd that she has no paper contract despite having records of other repair work done to the same home. I don't believe Mr. Cassell ever gave her a paper contract as long as I remember, it would be their fault and not our fault.

CITATION FROM ATTORNEY ERIC FERGUSON'S RESPONSE DATED JUNE 29, 2022: "My client has no records of ever providing an estimate for work to be done at the home of the Hills in Martinsville and he has no evidence of ever doing any work for the Hills at a home in Martinsville."

We have something in this country called the Fifth Amendment, Constitutional right to remain silent. It is Mr. Cassell's right to deny everything or keep his mouth shut. Denying everything can be more detrimental then simply remaining silent under the Fifth Amendment. Especially when any denials are disproved with counter evidence.

However, if this Attorney Eric Ferguson truly wants his client's claims to be entirely true without any shadow of doubt, this lawyer and his client should have simply remained silent because the telephone records, the photograph of the check stub, the BBB profile printout, The US Phone Book printout, the logo for The Chimney Sweep, and the incoming bank account records will prove that $300 was paid to The Chimney Sweep and the check was issued by Roberta Hill to The Chimney Sweep on the very same day the phone number (540) 483-2468 was called and call received from that number on the exact same day. That number belonged to James Cassell, at the time this mobile phone number was published on US Phone Book, and that directly ties the check stub with the exact same name as the business and the phone number in the phone logs.

I would say the 3 minutes and 11 seconds on September 26, 2017 would be plenty of time to discuss an estimate, for the visit and chimney work to be conducted on October 5, 2017. $300 paid to "The Chimney Sweep" from Roberta Hill's bank account.

CONCLUSION

At this point the claims by Attorney Eric Ferguson regarding no work ever being done at the Hill's residence in Martinsville and no estimate are fraudulent, false statements.

Despite it being scant bits and pieces of evidence, it is enough to prove a few statements made by Attorney Eric Ferguson's client Mr. Cassell are fraudulent, false statements. Pokes holes in those statements. Shows evidence of a possible cover up. Possible cover up by Mr. Cassell.

$300 was paid for chimney work done on October 5, 2017 at the chimney, and the phone call logs prove activity was going on around or on October 5, 2017, involving Mr. Cassell.

As I said before, he has the constitutional right to remain silent. Before ever attempting to make me out to be a liar in any way, shape, or form.

His statements had proven by and through his lawyer Eric Ferguson that he will remain silent as tight as a clam. He will never admit to what he had done. It's useless.

It is come to the best of my belief that Mr. James Cassell or JaCody Cassell will never admit to placing metal tin on top of the chimney flues on the date of October 5, 2017. The fact that the complaint process, as argued by Mr. Aaron Ziglar, Dispute Resolution Specialist, he repeatedly said that the process to respond to my complaint was voluntary. The fact that Mr. Cassell would pay money and hire a lawyer, Mr. Eric Ferguson (a lawyer from Rocky Mount, VA) just to try to shoot down my COMPLAINT with the Office of the Attorney General when Aaron Ziglar repeatedly argued that the process was voluntary tells me that he is afraid of possibly criminal liability and needed to mitigate the situation by simply acting as though I am a liar, and deny everything, act like nothing is true. I symbolically shot a few holes in Attorney Eric Ferguson's claims which came directly from his client Mr. Cassell.

Like Aaron Ziglar had warned, the dispute resolution process was voluntary and is not a legal process. I was trying to get Roberta Hill to have Mr. Cassell feel guilty enough to admit his wrongdoing. A Stanley Bolten reportedly in some emails tried a few times to try to persuade Mr. Cassell to admit to what he had done. That failed. Tight as a clam.

Mr. Cassell simply made a mistake, he didn't intentionally place metal tin on top of the chimney flues with any ill intent. He made a mistake which had caused the carbon monoxide gas exposure since October 5, 2017, after the chimney work was completed.

Of course this attorney can shoot down my unsworn affidavit/declaration dated July 5, 2022 based on any legal technicality of my federal case but Roberta Hill can write an affidavit about what had happened and hers would hold up in a court of law.

However it would have been better if Mr. Cassell had remained silent rather than deny everything which destroyed his credibility the very minute we produce records

disproving even a portion of the claims made by Mr. Cassell. His attorney is right, it is beyond the statute of limitations to file a lawsuit against Mr. Cassell and against The Chimney Sweep. So why take the time and pay attorney fees to deal with my complaint which is voluntary to respond to??? I am judgment proof, my only income is SSI disability. Why hire an attorney to respond to a supposedly “baseless” complaint if that were entirely true?

I believe there is probably some unintended consequence or consequences which scared Mr. Cassell into lawyering up. Usually certain things cause people to lawyer up.

To these reasons, I believe I have poked enough holes in Mr. Cassell's claims, that his claims of never being involved with Roberta Hill to do chimney work is baseless and based on false statements by Mr. Cassell. Enough evidence to show a reasonable doubt if Mr. Cassell made such claims against me in a court room, I can show the phone record logs, check stub, the bank account records. That would be enough to dismiss Attorney Ferguson's claims against me in front of a jury by poking those few holes which would be reasonable doubts. I have enough proof that it proved chimney work was done as $300 was paid to a business doing CHIMNEY work. What kind of work did they do on October 5, 2017??? That can be kept to speculation but Mr. Cassell cannot disprove my claims completely by claiming no involvement when there is scant evidence proving involvement of Mr. Cassell and money paid to his business. The phone records of his phone number in contact with Roberta Hill's phone number match the date of the check stub and will match the bank account records.

I will at some point have those bank account records from Roberta Hill. I will have Roberta Hill email those records directly to Mr. Aaron M. Ziglar, as well as give me the physical copies which will be scanned and made into PDF file copies . He will have those in his office of the Attorney General, and copies will be given to the Office of the Attorney General.

I was hoping to have Mr. Cassell admit to placing the metal tin on top of the chimney on October 5, 2017, and that would establish evidence in my criminal case that Brian David Hill was subject to carbon monoxide poisoning from October 5, 2017, until the day I wandered away from home in late night September 20, 2018, and was walking naked down a deserted walking trail at night until I was arrested on September 21, 2018. My Autism Spectrum Disorder along with the Carbon Monoxide gas poisoning caused me to wander away from home and the effects of the carbon monoxide odorless tastless gas caused me to take my clothes off and walk around naked on a deserted walking trail

for hours in the middle of the night until a passing car went by the road right close to the Dick and Willie walking trail, around Hooker Street and saw me running naked and called Martinsville Police who arrested me. The carbon monoxide effects had caused me to make confusing statements which gave Officer Robert Jones the wrong conclusion that Brian David Hill was making false statements or misleading statements. People with Autism Spectrum Disorder are known to make false confessions and misleading statements to law enforcement according to a report from Dennis Debbaudt, a law enforcement trainer. Family gave me this link to paste in here: https://www.polfed.org/WestMids/media/1938/interview-and-interrogation-of-people-with-autism.pdf or https://web.archive.org/web/20220614102303/https://www.polfed.org/WestMids/media/1938/interview-and-interrogation-of-people-with-autism.pdf. Carbon monoxide can worsen the symptoms of Autism or even cause a regression leading me to exhibiting a behavior usually exhibited from younger autistic children who at times are found naked outside or wandering naked at night. So I exhibited an unusual behavior that normally happens with autistic children such as wandering and walking naked and confused due to the prolonged (long term) carbon monoxide exposure from October 5, 2017, until September 20, 2018.

The fact that Mr. Cassell did not exercise his right to remain silent but instead decided to make a bold move of hiring an attorney to simply respond by denying any and all involvement in anything regarding chimney work done on October 5, 2017 at 310 Forest Street had shown me that my claims will at least be considered if I file a motion for a New Jury Trial based on the false claims made by Mr. Cassell in response to only me accusing Mr. Cassell of placing metal tin on top of the chimney flues to block the exhaust from the chimney flues, when the intent of the metal tin was only with attempting to stop the chimney swifts birds from flying into the chimney in the fall. Based on what Pete Compton from ACE Chimney found in January of 2019. We all immediately figured out that this was done by the work of The Chimney Sweep. All of my supporting family members such as Roberta Hill, Stella Forinash, and Kenneth Forinash, we all knew it had to be from the past chimney work done on October 5, 2017.

I have enough evidence to push for a new trial in my criminal case based on Mr. Cassell's denials of everything even in the face of scant evidence proving $300 paid to The Chimney Sweep on October 5, 2017, phone call logs between Roberta Hill through 276-790-3505 and Mr. Cassell's mobile number (540) 483-2468 which is on provider U.S. CELLULAR, calls made on both September 26, 2017, and October 5, 2017. Normally a check would be paid to a contractor or business after the work was

completed. So the work would be completed on October 5, 2017. I have enough evidence to push back against Mr. Cassell's wall of denial. WALL OF DENIAL!!!!!!!!!

Once I get the bank account records, copies given to Attorney Eric Ferguson and Aaron Ziglar, I will give Mr. Cassell one more chance to voluntarily be a witness in my criminal case. I do not want money, I don't want a pursue a financial claim for damages against Mr. Cassell, I make that clear. I need him to testify in my criminal case. I will provide the contact information for the Circuit Court and the criminal case number. I will give Mr. Cassell one more chance to make things right after I receive the bank account records and confront his attorney with these records. He can still agree to testify and write an affidavit as of right now. He can agree to testify and I can agree to waive liability claims against him if that makes him feel more comfortable about testifying.

I agree to sign a conditional waiver of liability where I will not hold Mr. Cassell and any of his workers and agents liable for anything he has done and will not push to hold him criminally liable either, if he agrees to tell the truth and tell the facts from his own witness testimony. I will not tell him what to say, it is up to him to testify and up to him to answer my questions and the questions of the Commonwealth Attorney at any future criminal case hearings involving my charge of indecent exposure. All I want is for him to be a witness. His denials tell me that he is lying, that he does remember what happened and denies it out of fear, out of fear that it would have him civilly and criminally liable. I understand a mistake was made and that Mr. Cassell did not intentionally place metal tin on top of the chimney flues to cause carbon monoxide. If he did, then that is between him and God, that will be something he would have to face on Judgment Day, when that day naturally comes as will come for every one of us, someday. Judgment day where you will be judged for every action you take.

I will give him one more chance to make things right. One more chance before I submit the final pieces of evidence (bank account records once acquired) to the Circuit Court and that will be filed in the Federal Court in my 2254 motion once the entire State Court criminal case records are filed by the Commonwealth of Virginia in my 2254 Motion petitioning for Writ of Habeas Corpus to overturn my state conviction.

It is clear that the Circuit Court judge will feel that Mr. Cassell was lying about not doing any chimney work for Roberta Hill in Martinsville. And was lying about not doing an estimate. Even with scant evidence, lying in an attempt to shut down a complaint which is voluntary to respond to would be viewed in a negative light. The judge may consider this enough for a New Trial based on new evidence in my criminal

case. My claims would hold weight since lying in response to a complaint is usually a sign of guilt. A wall of denials when holes can be poked in such a large wall equals guilt. Lying in a voluntary response to attempt to dismiss a complaint which isn't even a lawsuit, it isn't guaranteed to receive any financial damages claims if beyond the statute of limitations, especially a hard statute of limitations. Yet lying to get a complaint dismissed as baseless when it isn't even considered a legal process. It is voluntary.

I will submit what I have so far to the Circuit Court Clerk, then soon enough I will ask for a New Trial again in my criminal case in the Circuit Court but based on the few proven lies of Mr. Cassell. I have no need to sue Mr. Cassell. If I win the jury trial, I can sue the Commonwealth Attorney Glen Andrew Hall for malicious prosecution against an innocent man. I would be compensated by the Commonwealth of Virginia for damages cased by the prosecutor. I am confident I would win suing the prosecutor of my criminal case. I would also sue my court appointed lawyers too, and win on defective counsel. I have no need to sue Mr. Cassell. I can sue the prosecutor and the ineffective defense attorney. I will also sue Martinsville Police and sue the Police Chief G. E. Cassady. I will sue them all, and I would win. I rather sue them than sue The Chimney Sweep. Believe me, I need you as a witness and suing you would not be in my best interest even if there wasn't a statute of limitations. I rather compel you to admit the truth.

At some point, NOT NOW, I plan on dismissing my complaint voluntarily after I receive the bank account records, regardless of Mr. Cassell's decision and give Mr. Cassell one last chance to make things right and admit to what he had done placing the metal tin on top of the chimney. One more chance, write an affidavit and agree to be a witness until my criminal case is disposed of and dismissed. Regardless, the complaint will be dismissed. I will not hold this complaint over you, I about have enough evidence.

Mr. Cassell has his right to remain silent, he has the right to not be a witness against himself, and him lying in response to my complaint will not help him disprove my claims when I push for a New Trial in the Circuit Court for the City of Martinsville.

Regardless of whether Mr. Cassell will testify or not, at some point after I have my final evidence I will have the complaint dismissed upon the ground that Mr. Cassell is as tight as a clam, will not cooperate to being a witness in my criminal case, and that my complaint case is going nowhere. Regardless, I am dismissing the complaint once I have the final evidence and give Attorney Eric Ferguson's client one more chance to admit to what he had done on October 5, 2017, despite the scant evidence available.

I hope that Mr. Cassell will do the moral thing, do the smart thing, be right with God, tell the truth, and stop lying.

I pray to God that he will tell the truth and do the right thing. Denying everything only hurts me and hurts my mother Roberta Hill, and lying hurts himself. Someday in the Court of God, in his life review aka judgment day the Bible spoke of, Mr. Cassell someday after being elderly and naturally passing on to the spiritual realm, HE will be shown visions of me and will experience feeling my pain, suffering, and misery he had caused me. If you ever want to read a good spiritual book, it is called **"Embraced by the Light" by Betty Eadie**. She explained that when she faced her life review, and I think she met Jesus Christ as well, that every pain or suffering she caused, she had to experience that pain and suffering she caused another, the very pain and suffering she caused another person. Some day, Mr. Cassell will face God, will face Judgment Day, his life review after he lives a long healthy life, and he will feel my pain, my misery, my suffering, and he will feel the years of anguish and torment that Mr. Cassell had caused me. The lawyer will also feel my pain, suffering, and misery as God will give everybody a life review process. GOD'S COURT, GOD'S JUSTICE SYSTEM. **Mr. Cassell can get away with hurting me and my family in man's Court of Law**, but **he cannot get away with this in God's Court of Law**. He will feel my pain, my emotions, my suffering and will look at my face and body as I am naked with cuts on my body, carbon monoxide poisoning shown on my face, and me being arrested with handcuffs. God will show Mr. Cassell these visions and he will have to experience the pain that he caused me and Roberta Hill. He will see visions of Roberta Hill crying, almost killed herself and she told me that she almost killed herself when she saw that I was being arrested for indecent exposure. So Mr. Cassell will feel the pain of my mother almost killing herself in 2018, the pain of her body deteriorating, her suffering and her misery. Mr. Cassell will feel all of that someday as God shows him the wrongs and rights he has done with his life on this planet. Someday he will feel the pain of me, Roberta Hill, and pain of everybody he harmed and hurt. I have no need to do anything to Mr. Cassell, I am letting God and Jesus Christ deal with Mr. Cassell. Mr. Cassell, I am asking my lawyer Jesus Christ, Jesus is my lawyer and I have asked Jesus to hold you accountable someday in God's Court of Law of the Universe, Court of Heaven, whatever you wish to call it, and Jesus will prosecute you someday for what you have done to me.

My only interest throughout all of this is getting my life back, I want to be acquitted. Money doesn't matter to me when I can be free of my wrongful conviction. Please do the right thing JaCody Cassell. I pray to God that you will do what is right, do the right thing. **Though shall not bear false witness, one of God's Ten Commandments.**

Case #: CR19000009-00, Martinsville Circuit Court. Virginia.

Hon. Ashby Pritchett, Clerk of the Court: APritchett@vacourts.gov and APritchett@courts.state.va.us
Commonwealth Attorney Glen Andrew Hall, Esq.: ahall@ci.martinsville.va.us.
City of Martinsville, Commonwealth of Virginia v. Brian David Hill.

Thank You. Respectfully filed with the Aaron Ziglar, this the 7th day of July, 2022.

Brian D. Hill
Signed
Brian D. Hill

God bless you,
Brian D. Hill
Ally of Q, Former news reporter of U.S.W.G.O. Alternative News
310 Forest Street, Apartment 2
Martinsville, Virginia 24112
(276) 790-3505

U.S.W.G.O.

JusticeForUSWGO.NL or JusticeForUSWGO.wordpress.com

Call History xfinity connect

(276) 790-3505
Rbhill67@comcast.net

Name	PhoneNumber	Duration	Time	Date		
WATSON BETTY	(336) 681-0304	0s	MISSED	11:20 PM EST	Sun.	Oct 22, 2017
WATSON BETTY	(336) 681-0304	27s	RECEIVED	11:20 PM EST	Sun.	Oct 22, 2017
UNKNOWN	(336) 681-0304	10s	PLACED	11:19 PM EST	Sun.	Oct 22, 2017
UNKNOWN	(276) 632-2599	16m 26s	PLACED	10:58 PM EST	Sun.	Oct 22, 2017
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UNKNOWN	(336) 954-3856	7s	PLACED	10:56 PM EST	Sun.	Oct 22, 2017
UNKNOWN	(336) 375-8888	0s	PLACED	10:55 PM EST	Sun.	Oct 22, 2017
UNKNOWN	(336) 617-7932	0s	PLACED	10:53 PM EST	Sun.	Oct 22, 2017
UNKNOWN	(800) 743-6179	60s	PLACED	7:54 PM EST	Sat.	Oct 21, 2017
TLC	(636) 534-2384	10s	RECEIVED	9:51 AM EST	Sat.	Oct 21, 2017
TLC	(636) 534-2384	0s	MISSED	9:51 AM EST	Sat.	Oct 21, 2017
UNKNOWN	(276) 632-2599	19m 22s	PLACED	9:41 PM EST	Fri.	Oct 20, 2017
UNKNOWN	(336) 333-5005	2m 16s	PLACED	9:19 PM EST	Fri.	Oct 20, 2017
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UNKNOWN	(202) 262-3034	5s	PLACED	8:01 PM EST	Fri.	Oct 20, 2017
UNKNOWN	(424) 288-0650	4m 16s	PLACED	7:56 PM EST	Fri.	Oct 20, 2017
UNKNOWN	(512) 998-4705	3m 25s	PLACED	7:51 PM EST	Fri.	Oct 20, 2017
UNKNOWN	(512) 998-4705	6s	PLACED	7:50 PM EST	Fri.	Oct 20, 2017
UNKNOWN	(512) 825-7826	16s	PLACED	7:50 PM EST	Fri.	Oct 20, 2017
UNKNOWN	(773) 837-8300	6s	PLACED	7:49 PM EST	Fri.	Oct 20, 2017
UNKNOWN	(707) 540-1473	2s	PLACED	7:48 PM EST	Fri.	Oct 20, 2017
UNKNOWN	(202) 262-3034	3s	PLACED	7:46 PM EST	Fri.	Oct 20, 2017
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TLC	(636) 534-2384	10s	RECEIVED	6:29 PM EST	Fri.	Oct 20, 2017
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TLC	(636) 534-2384	0s	MISSED	9:13 AM EST	Wed.	Oct 18, 2017
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WIRELESS CALLER	(209) 518-3036	0s	MISSED	4:41 PM EST	Mon.	Oct 16, 2017
UNKNOWN	(919) 962-6136	15m 15s	PLACED	4:21 PM EST	Mon.	Oct 16, 2017
UNKNOWN	(919) 962-7765	12m 44s	PLACED	4:03 PM EST	Mon.	Oct 16, 2017
FORNASH KENNETH	(276) 632-2599	1m 3s	RECEIVED	10:04 AM EST	Sun.	Oct 15, 2017

3449

Name	PhoneNumber	Duration	Time	Date		
ROB DE	(512) 825-7826	9s	RECEIVED	1:56 PM EST	Sat.	Oct 14, 2017
ROB DE	(512) 825-7826	0s	MISSED	1:56 PM EST	Sat.	Oct 14, 2017
UNKNOWN	(512) 825-7826	3s	PLACED	11:49 PM EST	Fri.	Oct 13, 2017
WIRELESS CALLER	(315) 690-9176	0s	MISSED	4:23 PM EST	Fri.	Oct 13, 2017
FORNASH KENNETH	(276) 632-2599	17m 26s	RECEIVED	10:26 AM EST	Fri.	Oct 13, 2017
FORNASH KENNETH	(276) 632-2599	14m 40s	RECEIVED	9:29 AM EST	Fri.	Oct 13, 2017
UNKNOWN	(512) 363-3281	3m 18s	PLACED	7:32 PM EST	Wed.	Oct 11, 2017
UNKNOWN	(512) 825-7826	3m 28s	PLACED	7:26 PM EST	Wed.	Oct 11, 2017
UNKNOWN	(540) 598-0440	1m 47s	PLACED	3:58 PM EST	Wed.	Oct 11, 2017
FORNASH KENNETH	(276) 632-2599	8m 48s	RECEIVED	8:54 AM EST	Wed.	Oct 11, 2017
UNKNOWN	(315) 673-7198	8s	PLACED	9:37 PM EST	Tue.	Oct 10, 2017
UNKNOWN	(202) 646-5172	20s	PLACED	9:35 PM EST	Tue.	Oct 10, 2017
UNKNOWN	(276) 632-2599	45m 18s	PLACED	4:15 PM EST	Tue.	Oct 10, 2017
UNKNOWN	(540) 598-0440	1m 4s	PLACED	2:53 PM EST	Tue.	Oct 10, 2017
UNKNOWN	(276) 632-2599	28m 20s	PLACED	10:00 PM EST	Mon.	Oct 9, 2017
UNKNOWN	(814) 835-6786	9s	PLACED	6:50 PM EST	Mon.	Oct 9, 2017
UNKNOWN	(512) 246-9549	53s	PLACED	3:12 PM EST	Mon.	Oct 9, 2017
UNKNOWN	(800) 724-2719	30s	PLACED	3:11 PM EST	Mon.	Oct 9, 2017
UNKNOWN	(845) 557-3349	0s	PLACED	3:03 PM EST	Mon.	Oct 9, 2017
UNKNOWN	(877) 789-2539	0s	PLACED	3:01 PM EST	Mon.	Oct 9, 2017
UNKNOWN	(877) 789-2539	0s	PLACED	3:01 PM EST	Mon.	Oct 9, 2017
UNKNOWN	(877) 789-2539	0s	PLACED	3:01 PM EST	Mon.	Oct 9, 2017
UNKNOWN	(877) 789-2539	8m 8s	PLACED	1:53 PM EST	Mon.	Oct 9, 2017
UNKNOWN	(877) 789-2539	0s	PLACED	1:45 PM EST	Mon.	Oct 9, 2017
Bond Margaretta	(309) 525-2705	56s	RECEIVED	1:08 AM EST	Mon.	Oct 9, 2017
UNKNOWN	(309) 525-2705	6s	PLACED	1:07 AM EST	Mon.	Oct 9, 2017
UNKNOWN	(516) 736-2925	0s	PLACED	12:52 AM EST	Mon.	Oct 9, 2017
UNKNOWN	(516) 736-2925	0s	PLACED	12:44 AM EST	Mon.	Oct 9, 2017
UNKNOWN	(845) 557-3349	0s	PLACED	12:09 AM EST	Mon.	Oct 9, 2017
UNKNOWN	(512) 352-0129	2m 16s	PLACED	10:47 PM EST	Sun.	Oct 8, 2017
UNKNOWN	(512) 352-0129	2m 41s	PLACED	10:44 PM EST	Sun.	Oct 8, 2017
UNKNOWN	(276) 632-2599	45m 53s	PLACED	10:31 PM EST	Sat.	Oct 7, 2017
FORNASH KENNETH	(276) 632-2599	11m 17s	RECEIVED	10:06 AM EST	Fri.	Oct 6, 2017
UNKNOWN	(512) 443-6940	8s	PLACED	9:25 PM EST	Thu.	Oct 5, 2017
UNKNOWN	(512) 443-5856	0s	PLACED	2:03 PM EST	Thu.	Oct 5, 2017
UNKNOWN	(276) 632-2599	22m 58s	PLACED	1:23 PM EST	Thu.	Oct 5, 2017
UNKNOWN	(540) 483-2468	36s	PLACED	1:22 PM EST	Thu.	Oct 5, 2017
U.S. CELLULAR	(540) 483-2468	23s	RECEIVED	10:04 AM EST	Thu.	Oct 5, 2017
UNKNOWN	(325) 333-1370	7s	PLACED	2:57 AM EST	Thu.	Oct 5, 2017
UNKNOWN	(512) 382-1694	0s	PLACED	12:22 AM EST	Thu.	Oct 5, 2017
UNKNOWN	(512) 382-1694	0s	PLACED	11:44 PM EST	Wed.	Oct 4, 2017
SOVAH DANVILLE	(434) 799-4488	48s	RECEIVED	10:32 AM EST	Wed.	Oct 4, 2017

Name	PhoneNumber	Duration	Time	Date
SOVAH DANVILLE	(434) 799-4488	0s	MISSED	10:32 AM EST Wed. Oct 4, 2017
ROTO ROOTER SRV	(434) 685-3047	26s	RECEIVED	6:36 PM EST Tue. Oct 3, 2017
UNKNOWN	(276) 634-0088	22s	PLACED	6:25 PM EST Tue. Oct 3, 2017
ROTO ROOTER SRV	(434) 685-3047	14s	RECEIVED	5:04 PM EST Tue. Oct 3, 2017
UNKNOWN	(276) 634-0088	2m 11s	PLACED	3:27 PM EST Tue. Oct 3, 2017
Martinsville VA	(276) 622-3386	1m 19s	RECEIVED	10:07 AM EST Tue. Oct 3, 2017
UNKNOWN	(540) 857-5181	3m 39s	PLACED	1:35 AM EST Tue. Oct 3, 2017
UNKNOWN	(512) 291-5750	55s	PLACED	12:04 AM EST Tue. Oct 3, 2017
UNKNOWN	(512) 470-8290	0s	PLACED	11:08 PM EST Mon. Oct 2, 2017
UNKNOWN	(276) 226-4614	1m 12s	PLACED	10:31 AM EST Mon. Oct 2, 2017
FORNASH KENNETH	(276) 632-2599	23m 9s	RECEIVED	9:23 PM EST Sun. Oct 1, 2017
FORNASH KENNETH	(276) 632-2599	5s	RECEIVED	9:01 AM EST Sun. Oct 1, 2017
FORNASH KENNETH	(276) 632-2599	0s	MISSED	9:01 AM EST Sun. Oct 1, 2017
UNKNOWN	(917) 975-7659	7s	PLACED	1:29 AM EST Sat. Sep 30, 2017
UNKNOWN	(212) 443-2222	12s	PLACED	1:26 AM EST Sat. Sep 30, 2017
UNKNOWN	(540) 598-0440	5s	PLACED	5:12 PM EST Fri. Sep 29, 2017
UNKNOWN	(276) 632-6222	21s	PLACED	12:36 AM EST Fri. Sep 29, 2017
UNKNOWN	(276) 632-2599	39m 2s	PLACED	12:00 AM EST Fri. Sep 29, 2017
UNKNOWN	(276) 632-2599	46m 55s	PLACED	5:58 PM EST Thu. Sep 28, 2017
UNKNOWN	(540) 598-0440	45s	PLACED	4:55 PM EST Thu. Sep 28, 2017
UNKNOWN	(276) 632-2599	45m 4s	PLACED	6:43 PM EST Wed. Sep 27, 2017
UNKNOWN	(512) 646-4426	33m 20s	PLACED	6:07 PM EST Wed. Sep 27, 2017
UNKNOWN	(512) 646-4426	36m 40s	PLACED	5:30 PM EST Wed. Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	5:30 PM EST Wed. Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	5:30 PM EST Wed. Sep 27, 2017
UNKNOWN	(888) 201-2244	0s	PLACED	5:22 PM EST Wed. Sep 27, 2017
UNKNOWN	(888) 201-2244	0s	PLACED	5:18 PM EST Wed. Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	5:18 PM EST Wed. Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	5:17 PM EST Wed. Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	5:14 PM EST Wed. Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	5:13 PM EST Wed. Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	5:11 PM EST Wed. Sep 27, 2017
UNKNOWN	(512) 646-4426	49s	PLACED	5:09 PM EST Wed. Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	4:56 PM EST Wed. Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	4:43 PM EST Wed. Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	4:38 PM EST Wed. Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	4:35 PM EST Wed. Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	4:35 PM EST Wed. Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	4:35 PM EST Wed. Sep 27, 2017
UNKNOWN	(888) 201-2244	0s	PLACED	4:35 PM EST Wed. Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	4:35 PM EST Wed. Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	4:01 PM EST Wed. Sep 27, 2017

Name	PhoneNumber	Duration	Time	Date
UNKNOWN	(512) 646-4426	0s	PLACED	4:01 PM EST Wed. Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	4:01 PM EST Wed. Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	4:01 PM EST Wed. Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	4:01 PM EST Wed. Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	4:00 PM EST Wed. Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	4:00 PM EST Wed. Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	4:00 PM EST Wed. Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	2:52 PM EST Wed. Sep 27, 2017
UNKNOWN	(888) 201-2244	0s	PLACED	2:31 PM EST Wed. Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	2:31 PM EST Wed. Sep 27, 2017
UNKNOWN	(800) 259-9231	0s	PLACED	2:31 PM EST Wed. Sep 27, 2017
UNKNOWN	(800) 259-9231	0s	PLACED	2:31 PM EST Wed. Sep 27, 2017
UNKNOWN	(800) 259-9231	0s	PLACED	2:31 PM EST Wed. Sep 27, 2017
UNKNOWN	(800) 259-9231	0s	PLACED	2:30 PM EST Wed. Sep 27, 2017
UNKNOWN	(800) 259-9231	0s	PLACED	2:30 PM EST Wed. Sep 27, 2017
UNKNOWN	(800) 259-9231	0s	PLACED	2:30 PM EST Wed. Sep 27, 2017
UNKNOWN	(800) 259-9231	1m 19s	PLACED	2:29 PM EST Wed. Sep 27, 2017
UNKNOWN	(512) 646-4426	27m 49s	PLACED	12:01 AM EST Wed. Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	12:01 AM EST Wed. Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	12:00 AM EST Wed. Sep 27, 2017
UNKNOWN	(888) 201-2244	0s	PLACED	12:00 AM EST Wed. Sep 27, 2017
UNKNOWN	(888) 201-2244	0s	PLACED	12:00 AM EST Wed. Sep 27, 2017
UNKNOWN	(888) 201-2244	0s	PLACED	12:00 AM EST Wed. Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	11:59 AM EST Wed. Sep 27, 2017
Compton E & K	(276) 629-4453	44s	RECEIVED	10:56 AM EST Wed. Sep 27, 2017
Compton E & K	(276) 629-4453	0s	MISSED	10:56 AM EST Wed. Sep 27, 2017
UNKNOWN	(512) 291-5750	42s	PLACED	10:36 AM EST Wed. Sep 27, 2017
UNKNOWN	(415) 633-6745	6s	PLACED	10:36 AM EST Wed. Sep 27, 2017
UNKNOWN	(512) 673-7360	3s	PLACED	10:35 AM EST Wed. Sep 27, 2017
UNKNOWN	(424) 288-0650	4s	PLACED	10:34 AM EST Wed. Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	10:32 AM EST Wed. Sep 27, 2017
UNKNOWN	(512) 291-5750	30s	PLACED	10:31 AM EST Wed. Sep 27, 2017
UNKNOWN	(512) 291-5750	44s	PLACED	10:30 AM EST Wed. Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	10:29 AM EST Wed. Sep 27, 2017
UNKNOWN	(512) 291-5750	4m 12s	PLACED	10:24 AM EST Wed. Sep 27, 2017
UNKNOWN	(512) 291-5750	4m 11s	PLACED	10:20 AM EST Wed. Sep 27, 2017
UNKNOWN	(512) 291-5750	3m 25s	PLACED	10:16 AM EST Wed. Sep 27, 2017
UNKNOWN	(512) 291-5750	2m 21s	PLACED	10:14 AM EST Wed. Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	10:13 AM EST Wed. Sep 27, 2017
UNKNOWN	(888) 201-2244	0s	PLACED	10:13 AM EST Wed. Sep 27, 2017
UNKNOWN	(888) 201-2244	0s	PLACED	10:12 AM EST Wed. Sep 27, 2017
UNKNOWN	(888) 201-2244	0s	PLACED	10:08 AM EST Wed. Sep 27, 2017

Name	PhoneNumber	Duration	Time	Date
UNKNOWN	(888) 201-2244	0s	PLACED	10:06 AM EST Wed. Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	10:03 AM EST Wed. Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	10:03 AM EST Wed. Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	10:03 AM EST Wed. Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	10:03 AM EST Wed. Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	10:03 AM EST Wed. Sep 27, 2017
UNKNOWN	(888) 201-2244	0s	PLACED	10:03 AM EST Wed. Sep 27, 2017
UNKNOWN	(888) 201-2244	0s	PLACED	10:03 AM EST Wed. Sep 27, 2017
UNKNOWN	(888) 201-2244	0s	PLACED	10:03 AM EST Wed. Sep 27, 2017
UNKNOWN	(888) 201-2244	0s	PLACED	10:02 AM EST Wed. Sep 27, 2017
UNKNOWN	(888) 201-2244	0s	PLACED	10:02 AM EST Wed. Sep 27, 2017
UNKNOWN	(888) 201-2244	0s	PLACED	10:02 AM EST Wed. Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	10:01 AM EST Wed. Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	10:01 AM EST Wed. Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	10:01 AM EST Wed. Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	10:01 AM EST Wed. Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	10:00 AM EST Wed. Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	9:59 AM EST Wed. Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	9:59 AM EST Wed. Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	9:59 AM EST Wed. Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	9:59 AM EST Wed. Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	9:59 AM EST Wed. Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	9:58 AM EST Wed. Sep 27, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	9:58 AM EST Wed. Sep 27, 2017
UNKNOWN	(512) 646-4426	46m 4s	PLACED	4:08 PM EST Tue. Sep 26, 2017
UNKNOWN	(214) 505-8273	52s	PLACED	11:41 AM EST Tue. Sep 26, 2017
Cell Phone TX	(214) 505-8273	0s	MISSED	11:40 AM EST Tue. Sep 26, 2017
Cell Phone TX	(214) 505-8273	2m 4s	RECEIVED	11:40 AM EST Tue. Sep 26, 2017
UNKNOWN	(540) 488-5307	1m 11s	PLACED	11:34 AM EST Tue. Sep 26, 2017
UNKNOWN	(540) 483-2468	0s	PLACED	11:32 AM EST Tue. Sep 26, 2017
UNKNOWN	(540) 483-2468	3m 11s	PLACED	11:26 AM EST Tue. Sep 26, 2017
UNKNOWN	(276) 957-5684	0s	PLACED	11:23 AM EST Tue. Sep 26, 2017
UNKNOWN	(276) 629-4453	45s	PLACED	11:21 AM EST Tue. Sep 26, 2017
UNKNOWN	(415) 633-6745	7s	PLACED	11:09 PM EST Mon. Sep 25, 2017
UNKNOWN	(347) 759-6075	0s	PLACED	11:00 PM EST Mon. Sep 25, 2017
UNKNOWN	(347) 759-6075	0s	PLACED	10:33 PM EST Mon. Sep 25, 2017
UNKNOWN	(818) 849-3481	4m 30s	PLACED	10:23 PM EST Mon. Sep 25, 2017
UNKNOWN	(818) 849-3481	14m 41s	PLACED	10:08 PM EST Mon. Sep 25, 2017
UNKNOWN	(276) 632-2599	2m 29s	PLACED	9:00 PM EST Mon. Sep 25, 2017
FORNASH KENNETH	(276) 632-2599	0m 12s	RECEIVED	7:58 PM EST Mon. Sep 25, 2017
UNKNOWN	(276) 632-2599	17m 4s	PLACED	5:13 PM EST Mon. Sep 25, 2017
UNKNOWN	(512) 646-4426	55m 9s	PLACED	4:10 PM EST Mon. Sep 25, 2017

Name	PhoneNumber	Duration	Time	Date		
UNKNOWN	(512) 646-4426	0s	PLACED	4:10 PM EST	Mon.	Sep 25, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	4:10 PM EST	Mon.	Sep 25, 2017
UNKNOWN	(888) 201-2244	0s	PLACED	4:10 PM EST	Mon.	Sep 25, 2017
UNKNOWN	(512) 646-4426	0s	PLACED	4:09 PM EST	Mon.	Sep 25, 2017
UNKNOWN	(276) 632-6222	26s	PLACED	3:52 PM EST	Mon.	Sep 25, 2017
UNKNOWN	(434) 793-7147	1m 39s	PLACED	3:45 PM EST	Mon.	Sep 25, 2017
UNKNOWN	(276) 632-2599	14m 55s	PLACED	2:41 PM EST	Mon.	Sep 25, 2017
UNKNOWN	(276) 632-2599	4m 29s	PLACED	2:36 PM EST	Mon.	Sep 25, 2017
UNKNOWN	(276) 632-2599	0s	PLACED	2:34 PM EST	Mon.	Sep 25, 2017
UNKNOWN	(310) 203-4721	8m 57s	PLACED	2:24 PM EST	Mon.	Sep 25, 2017
UNKNOWN	(276) 634-4499	1m 29s	PLACED	2:22 PM EST	Mon.	Sep 25, 2017
NCAVF	(310) 203-4721	0s	MISSED	1:27 PM EST	Mon.	Sep 25, 2017
NCAVF	(310) 203-4721	36s	RECEIVED	1:27 PM EST	Mon.	Sep 25, 2017
FORNASH KENNETH	(276) 632-2599	48m 44s	RECEIVED	11:36 AM EST	Sat.	Sep 23, 2017
UNKNOWN	(276) 632-2599	40m 34s	PLACED	5:52 PM EST	Fri.	Sep 22, 2017
CARILION	(540) 526-1000	43s	RECEIVED	3:05 PM EST	Fri.	Sep 22, 2017
CARILION	(540) 526-1000	0s	MISSED	3:05 PM EST	Fri.	Sep 22, 2017
UNKNOWN	(276) 632-2599	56m 55s	PLACED	5:36 PM EST	Wed.	Sep 20, 2017
CARILION CLINIC	(540) 224-5170	34s	RECEIVED	5:35 PM EST	Wed.	Sep 20, 2017
UNKNOWN	(276) 632-2599	35s	PLACED	5:34 PM EST	Wed.	Sep 20, 2017
CARILION HEALTH	(276) 634-4499	0s	MISSED	2:25 PM EST	Tue.	Sep 19, 2017
CARILION HEALTH	(276) 634-4499	29s	RECEIVED	2:25 PM EST	Tue.	Sep 19, 2017
ZIMMER WILLIAM	(276) 670-3300	54s	RECEIVED	5:40 PM EST	Mon.	Sep 18, 2017
UNKNOWN	(540) 598-0440	1m 13s	PLACED	4:09 PM EST	Mon.	Sep 18, 2017
UNKNOWN	(424) 288-0650	3s	PLACED	9:31 PM EST	Thu.	Sep 14, 2017
UNKNOWN	(512) 673-7360	17s	PLACED	7:55 PM EST	Thu.	Sep 14, 2017
UNKNOWN	(202) 262-3034	10s	PLACED	7:54 PM EST	Thu.	Sep 14, 2017
UNKNOWN	(424) 288-0650	14s	PLACED	7:53 PM EST	Thu.	Sep 14, 2017
UNKNOWN	(276) 224-4527	29m 45s	PLACED	4:47 PM EST	Thu.	Sep 14, 2017
UNKNOWN	(276) 224-4527	2s	PLACED	4:46 PM EST	Thu.	Sep 14, 2017
UNKNOWN	(276) 224-4527	18m 13s	PLACED	9:48 PM EST	Wed.	Sep 13, 2017
UNKNOWN	(424) 288-0650	14s	PLACED	9:47 PM EST	Wed.	Sep 13, 2017
UNKNOWN	(276) 224-4527	0s	PLACED	9:47 PM EST	Wed.	Sep 13, 2017
UNKNOWN	(276) 224-4527	11m 50s	PLACED	4:59 PM EST	Wed.	Sep 13, 2017
UNKNOWN	(540) 598-0440	2m 10s	PLACED	4:56 PM EST	Wed.	Sep 13, 2017
UNKNOWN	(888) 201-2244	44m 2s	PLACED	4:07 PM EST	Wed.	Sep 13, 2017
UNKNOWN	(512) 646-4426	9m 19s	PLACED	3:57 PM EST	Wed.	Sep 13, 2017
Cell Phone VA	(276) 224-4527	19m 42s	RECEIVED	10:39 PM EST	Tue.	Sep 12, 2017
UNKNOWN	(424) 288-0650	5s	PLACED	8:24 PM EST	Tue.	Sep 12, 2017
UNKNOWN	(424) 288-0650	4s	PLACED	5:18 PM EST	Tue.	Sep 12, 2017
UNKNOWN	(276) 632-0180	2m 52s	PLACED	5:03 PM EST	Tue.	Sep 12, 2017
UNKNOWN	(888) 201-2244	0s	PLACED	4:53 PM EST	Tue.	Sep 12, 2017

LETTER TO OFFICE OF AARON M. ZIGLAR, ATTORNEY GENERAL, DISPUTE RESOLUTION UNIT, AND ATTORNEY ERIC FERGUSON

RE: Case number: 953850; Mr. Brian D. Hill VS The Chimney Sweep

SATURDAY, JULY 23, 2022
EDITED, FINISHED ON SUNDAY, JULY 24, 2022, 12:28 AM

ATTN: Aaron M. Ziglar Dispute Resolution Specialist Office of the Attorney General 202 North 9th Street Richmond, Virginia 23219 Phone: (804) 786-1244 FAX: (804) 225-4378 AZiglar@oag.state.va.us	**ATTN: Eric H. Ferguson, Esq.** RHODES & FERGUSON ATTORNEYS AT LAW 305 S. Main Street Rocky Mount, VA 24151 eferguson@fergusonlaw.net Phone: 540-483-5234 FAX: 540-483-5763

To JaCody Cassell through Attorney Eric Ferguson and Aaron Ziglar,

I finally have the bank statement record of Roberta Hill's bank account proving that $300 was taken out of the bank account of Roberta R. Hill, check record the exact same as the check stub photograph which is a carbon copy of the original check paid to "The Chimney Sweep" on October 5, 2017. The money was taken out of the bank account on October 6, 2017, a day after the money was paid for by paper check to The Chimney Sweep on October 5, 2017.

The rules of evidence allow a carbon copy sheet or carbon copy of the check or document to be admissible as evidence when the original record is not available, especially when the bank confirms or verifies a transaction of paying by check. Because I have enough evidence that Mr. Jacody Cassell through his private lawyer (legal counsel) Eric Ferguson had lied in making complete denials of ever doing work at 310 Forest Street, Martinsville, Virginia 24112 and never conducted an estimate for the chimney work, and thus makes Mr. Jacody Cassell a **difficult witness**. A difficult witness because he is refusing to be a witness and is refusing to admit to anything which would be favorable to the criminal defense of Brian David Hill, working on a pro se basis representing himself, pro se. Aaron Ziglar must accept this final evidence, and he must admit this in the record of the Dispute Resolution Unit, otherwise I may file

another complaint against The Chimney Sweep of them lying in response to my complaint which may be defamation or lying with complete denials to dismiss a complaint. I rather not file a second complaint to get this on record Mr. Ziglar, so Aaron Ziglar must accept this letter and the evidence attached to this letter. I may mail a copy by certified mail to his office, if I have to. He must accept this final evidence.

Mr. Cassell has one more chance to voluntarily admit to him or one of his employees placing metal tin on top of the chimney flues on October 5, 2017, sealing the flues, causing blockage of exhaust of two gas appliances in Apartment 3 and is exhausted by the flue or flues, below Apartment 2 at 310 Forest Street, Martinsville, Virginia 24112. He has one more chance to voluntarily admit to making this mistake, a human error. I will let this go if he can simply be a witness for his business causing the carbon monoxide intoxication. It is not a deserved criminal conviction to be naked in public at night on a deserted walking trail when under intoxication. Carbon monoxide poisoning along with AUTISM SPECTRUM DISORDER can cause the incident of being naked outside. News article examples of autistic children and autistic teens being found by police walking around naked outdoors and carbon monoxide can cause a regression of autistic adults to behave more like a autistic child or cause an autistic adult to exhibit behaviors normally caused by autistic children and autistic teenagers.

I have proven that $300 was paid for to the business entity known as “THE CHIMNEY SWEEP” by check on October 5, 2017, and was cashed on October 6, 2017, money left the SunTrust bank account of Roberta Hill at the time.

See the attached three pages in the following order:

1. USWGO_20220723_165251(OCR).pdf: Account Statement/summary from SUNTRUST BANK. Account of Roberta Hill. Her tax ID number is partially redacted as required under Federal Rules of Criminal and Civil Procedures. (one page)
2. USWGO_20220723_165737(OCR).pdf: Envelope received on July 23, 2022, containing the bank account statement. (one page)
3. Oct 5 2017 check stub.pdf: Photograph of the carbon copy of the original check paid $300 to “THE CHIMNEY SWEEP”. (one page)
4. Litigation hold letter to bank(s) requesting to retain evidence beyond five year financial record retention period under the Bank Secrecy Act. (five pages)

Here is the further proof I have, further disproving Mr. Cassell's complete denials.

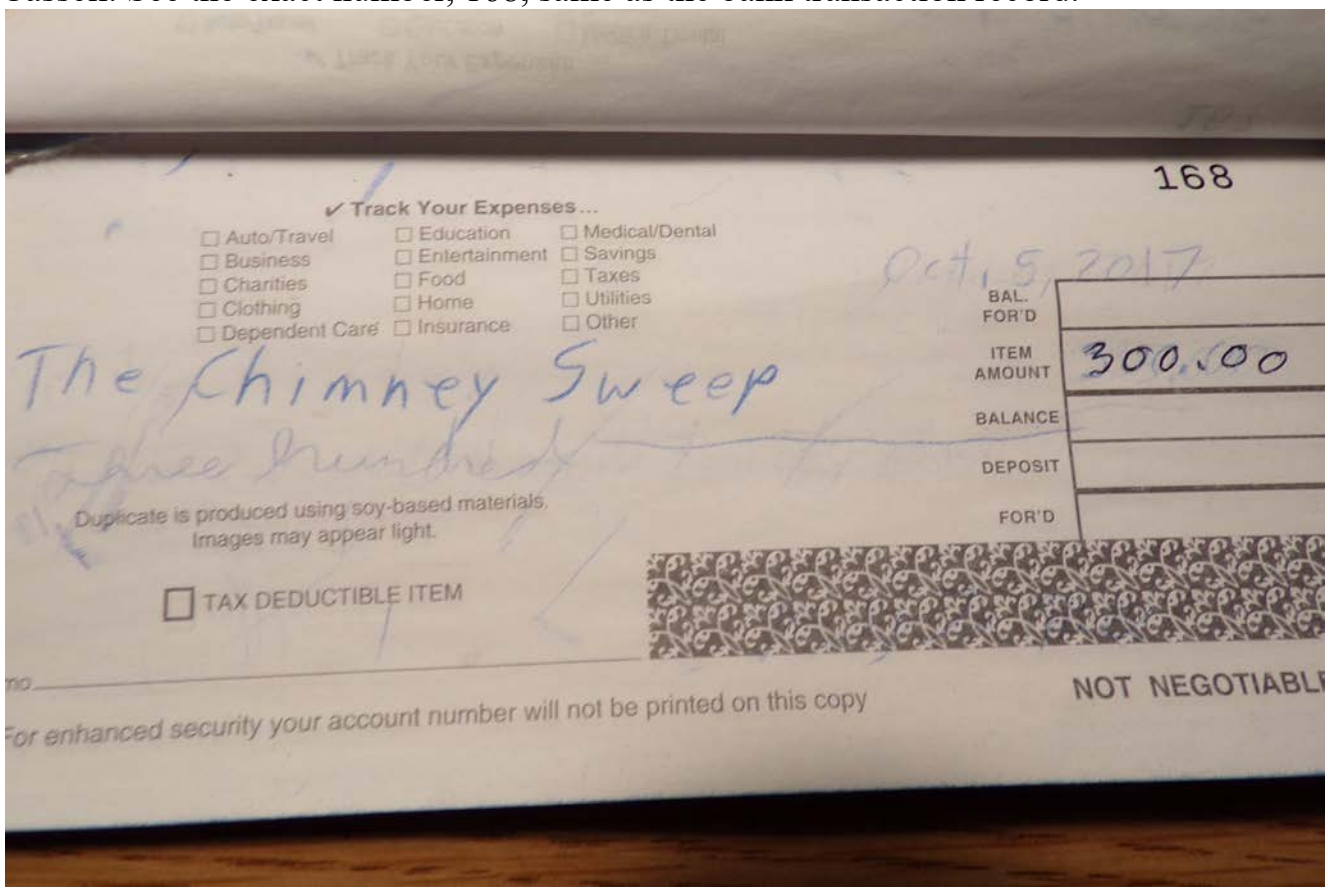
DEPOSITS/CREDITS: 11 TOTAL ITEMS DEPOSITED: 0

CHECK NUMBER	AMOUNT	DATE PAID	SR	CHECKS BATCH
167	325.00	10/10	20	75241135
168	300.00	10/06	20	78221138

CHECKS: 3

MEMBER FDIC

See the check number in bank statement of bank account Roberta Ruth Hill in October, 2017. It is 168. The exact same check number as the check stub, a carbon copy of the original check paid to The Chimney Sweep, the business owned by Mr. Jacody Cassell. See the exact number, 168, same as the bank transaction record.



The check number 168, 300.00 was paid, was paid for on 10/06 (October 6, 2017) SR is 20, and check batch number was 78221138.

$300 was paid for to The Chimney Sweep. In case the lawyer takes advantage of the 5 year check record retention period running out in October 6, 2022, this year, a LITIGATION HOLD LETTER is being filed with the Courts and with the banks.

Mr. Cassell has one more chance to voluntarily admit to his company placing metal tin on top of the chimney. It is human error and every business establishment makes human error, or caused human error. Mr. Cassell should understand this.

Aaron Ziglar, it is clear that regardless of whether Mr. Cassell wants to be a difficult witness or will admit to the human error mistake on October 5, 2017, all communications and evidence concerning the complaint and Dispute Resolution case will be filed with the Circuit Court in hundreds of pages of correspondence and letters and evidence. I will be filing a motion for a new trial based on this difficult witness of The Chimney Sweep, refusing to testify and refusing to admit to the human error caused by his own company.

So I am okay with the case being closed as I cannot force Mr. Cassell to admit to any wrongdoing as he has the Fifth Amendment right to not be a witness against himself under the U.S. Constitution but I do make one demand, that this letter and all attached evidence be filed in the foregoing Dispute Resolution case; Case number: 953850; Mr. Brian D. Hill VS The Chimney Sweep. Please Aaron Ziglar, file this last letter.

My evidence letter to Aaron Ziglar and Attorney Eric Ferguson, the letter dated July 6, 2022, addresses the evidence that Mr. Cassell's business mobile phone number (540) 483-2468 from provider U.S. CELLULAR was in contact with Roberta Hill on September 26, 2017, and October 5, 2017. The bank transaction said the check was paid on October 6, 2017, a day after the check was given to an employee of the business entity known as The Chimney Sweep. The check number in the account transaction matches the carbon copy check stub. The account number is in the record attached to this letter. Proof that The Chimney Sweep was paid $300 for what kind of work do they offer as a business? chimney services.

Regardless of what Mr. Cassell decides to do with this bank transaction record and matches the carbon copy check stub under check number 168 matches the SunTrust bank account record. The only record that we do not have yet is the digital photocopy of

the original check cashed by Mr. Cassell but the LITIGATION HOLD LETTER should cause the bank to retain such evidence for as long as necessary.

I have proven that The Chimney Sweep was paid $300 on October 6, 2017, the day after they received the check on October 5, 2017 payable to “THE CHIMNEY SWEEP” and they were contacted by phone, calls to and from The Chimney Sweep and Roberta Hill. The call logs from xFinity / Comcast prove this. It all comes together.

The attorney Eric Ferguson is wrong. Money wasn't paid for nothing, a check was paid for something. $300 was paid for something. The call log on October 5, 2017, the day before the check record was paid from the account by financial record. Can be confirmed by Eric Ferguson the attorney upon subpoena or record request.

Mr. Cassell is being a difficult witness. Witness lists in two federal habeas corpus cases and one state criminal case may be filed with his name in one of the witness list slots. He cannot weasel out of this, and I have the legal right to have him subpoenaed.

He will have to answer these questions under oath, under penalty of perjury, I will make sure he is asked under oath about the metal tin work done by an employee of The Chimney Sweep on October 5, 2017. The questions will be asked under penalty of perjury. If Mr. Cassell wishes to again deny everything like he did in his lawyer's responses July 5, 2022, June 29, 2022, it will be under oath, under penalty of perjury. He can choose not to say anything as is his right under the Fifth Amendment of the U.S. Constitution, however the questions regarding the carbon monoxide will always go unanswered with never a full explanation as to what all happened. However, if he again denies everything under oath, the financial bank record, the litigation hold letter requesting preservation of the check cashed by Jacody Cassell or one of his authorized employees or agents, the telephone records which can be verified by xFinity/Comcast, and the check carbon copy will all be used to disprove Mr. Cassell denying everything and he could face a perjury charge.

He is a witness, a difficult witness, but he cannot deny everything as there is enough evidence to prove chimney work was conducted on October 5, 2017. The denial of everything in response to the complaint makes Jacody appear suspicious, like he is hiding something, and that will make any reasonable person feel that he did make a human error on October 5, 2017 and this human error almost costed the lives of Brian Hill and Roberta Hill with carbon monoxide gas poisoning. Damaged the nerves of both of us, but I have repaired the damage with alternative medicine such as BIO-PQQ and

other supplements. I have repaired the damage to my body caused by the carbon monoxide poisoning, but the damage caused of me being wrongfully convicted must be resolved and corrected.

Jacody Cassell, you have one more opportunity to voluntarily file a witness letter with the Circuit Court for the City of Martinsville and serve rbhill67@comcast.net a copy of your witness letter. You have one more opportunity to make things right, as you have been a difficult witness but you can still come clean, tell the truth about the human error caused by your business on October 5, 2017. Please come clean about the human error and I can finally move on with my life. Simply admitting will make the truth more clear.

Case #: CR19000009-00, Martinsville Circuit Court. Virginia.

Hon. Ashby Pritchett, Clerk of the Court: APritchett@vacourts.gov and APritchett@courts.state.va.us
Commonwealth Attorney Glen Andrew Hall, Esq.: ahall@ci.martinsville.va.us.
City of Martinsville, Commonwealth of Virginia v. Brian David Hill.

This will be my last letter to Aaron Ziglar, emailed by Roberta Hill at rbhill67@comcast.net. Hopefully if the client of Eric Ferguson agrees to make a voluntary statement, I will not have to push witness lists with Jacody Cassell being a difficult witness. Not having to file hundreds of pages of correspondence.

See article: Deposition: Turning the Tables on Difficult Witnesses (and Counsel). "Due to their importance, there can be nothing more exacerbating than dealing with the antics of difficult witnesses (and opposing counsel) during the course of a deposition. So how do you stay above the fray and still get the discovery you need?"

Jacody Cassell is a difficult witness, that is a fact. He has one more chance to fix the mess his company caused on October 5, 2017. Regardless, I am done with the complaint case and am okay that it is closed. I have to file my witness list in federal court and state court.

Thank You. Respectfully filed with the Aaron Ziglar, this the 24th day of July, 2022.

Brian D. Hill
Signed
Brian D. Hill

God bless you,
Brian D. Hill
Ally of Q, Former news reporter of U.S.W.G.O. Alternative News
310 Forest Street, Apartment 2
Martinsville, Virginia 24112
(276) 790-3505

JusticeForUSWGO.NL or JusticeForUSWGO.wordpress.com

SUNTRUST BANK
PO BOX 305183
NASHVILLE TN 37230-5183

63/B11/0175/0 /74
1000155990541
10/19/2017

ACCOUNT
STATEMENT

ROBERTA R HILL
310 FOREST ST APT 1
MARTINSVILLE VA 24112-4210

QUESTIONS? PLEASE CALL
1-800-786-8787

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CONFIDENCE STARTS HERE.

ACCOUNT SUMMARY

ACCOUNT TYPE	ACCOUNT NUMBER	STATEMENT PERIOD	TAXPAYER ID
EVERYDAY CHECKING	1000155990541	09/21/2017 - 10/19/2017	[redacted]-6831

DESCRIPTION	AMOUNT	DESCRIPTION	AMOUNT
BEGINNING BALANCE	$2,344.02	AVERAGE BALANCE	$2,873.13
DEPOSITS/CREDITS	$1,508.18	AVERAGE COLLECTED BALANCE	$2,873.13
CHECKS	$870.28	NUMBER OF DAYS IN STATEMENT PERIOD	29
WITHDRAWALS/DEBITS	$670.06		
ENDING BALANCE	$2,311.86		

DEPOSITS/CREDITS

DATE	AMOUNT	DESCRIPTION	SR	BATCH
09/22	712.46	ELECTRONIC/ACH CREDIT VA DMAS PAYROLLJNL RA2482754	30	64008949991
09/25	25.40	POINT OF SALE CREDIT TR DATE 09/22 REFUNDAMAZON.COM SEATTLE WA 00000101	82	
09/29	.05	ELECTRONIC/ACH CREDIT Amazon Asi935247 EDI PYMNTS OFA000100268898	30	70010329180
09/29	5.15	ELECTRONIC/ACH CREDIT Amazon Australia Services Inc.ACH/CRED /ORGAC/GB37DEUT40508128305600/Payment#: 59540504 null	30	71002000056
09/29	18.57	ELECTRONIC/ACH CREDIT AMAZON.COM935692 EDI PYMNTS OFA000100677296	30	70010328831
09/29	20.83	ELECTRONIC/ACH CREDIT AMAZON.COM935389 EDI PYMNTS OFA000100498304	30	70010328712
09/29	.11	ELECTRONIC/ACH CREDIT AMAZON MEDIA EU SARL ACH/CRED /ORGAC/GB51DEUT40508127304211/Payment#: 59391269 null	30	72003964873
09/29	.89	ELECTRONIC/ACH CREDIT AMAZON MEDIA EU SARL ACH/CRED /ORGAC/GB08DEUT40508127304209/Payment#: 59233693 null	30	72003968814
09/29	3.93	ELECTRONIC/ACH CREDIT AMAZON MEDIA EU SARL ACH/CRED /ORGAC/GB51DEUT40508127304211/Payment#: 59391790 null	30	72003965816
09/29	8.33	ELECTRONIC/ACH CREDIT AMAZON MEDIA EU SARL ACH/CRED /ORGAC/GB24DEUT40508127304212/Payment#: 60023625 null	30	72003966442
10/06	712.46	ELECTRONIC/ACH CREDIT VA DMAS PAYROLLJNL RA2496762	30	78008232944

DEPOSITS/CREDITS: 11 TOTAL ITEMS DEPOSITED: 0

CHECKS

CHECK NUMBER	AMOUNT	DATE PAID	SR	BATCH	CHECK NUMBER	AMOUNT	DATE PAID	SR	BATCH
167	325.00	10/10	20	75241135	169	245.28	10/10	20	75225054
168	300.00	10/06	20	78221138					

CHECKS: 3

MEMBER FDIC

CONTINUED ON NEXT PAGE

TRUIST

MC 306-40-06-60
P.O. BOX 85052
RICHMOND, VA 23285

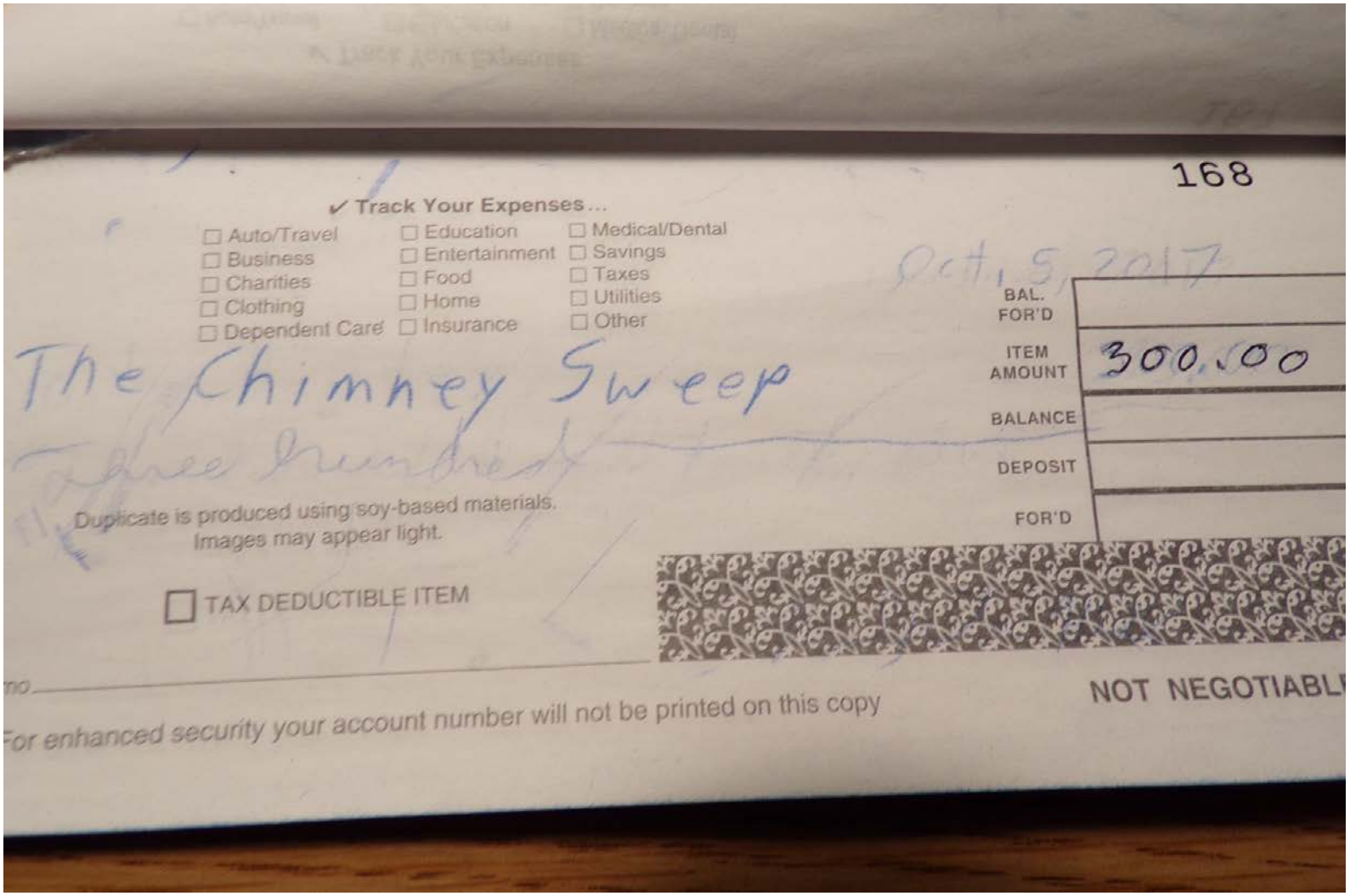
RICHMOND VA 230
21 JUL 2022 PM 1 L

US POSTAGE PITNEY BOWES
ZIP 23224 $ 000.57⁰
02 4W
0000365842 JUL 21 2022

Received on
July 23, 2022

ROBERTA RUTH HILL
310 FOREST STREET APT. 1
MARTINSVILLE, VA 24112

24112-421010


168
✓ Track Your Expenses...
☐ Auto/Travel
☐ Business
☐ Charities
☐ Clothing
☐ Dependent Care
☐ Education
☐ Entertainment
☐ Food
☐ Home
☐ Insurance
☐ Medical/Dental
☐ Savings
☐ Taxes
☐ Utilities
☐ Other
Oct, 5, 2017
The Chimney Sweep
Three hundred
BAL. FOR'D
ITEM AMOUNT
300.00
BALANCE
DEPOSIT
FOR'D
Duplicate is produced using soy-based materials.
Images may appear light.
☐ TAX DEDUCTIBLE ITEM
For enhanced security your account number will not be printed on this copy
NOT NEGOTIABL

LITIGATION HOLD LETTER TO TRUIST BANK, SUNTRUST BANK, FDIC, AND ANY OTHER BANK RETAINING SPECIFIC RECORDS MATERIAL TO "THE CHIMNEY SWEEP" AND "MR. JACODY CASSELL"

(1) RE: Brian David Hill v. Commonwealth of Virginia, U.S. District Court, Western District of Virginia, case no. 7:22-cv-00336;
(2) RE: Brian David Hill v. United States of America, U.S. District Court, Middle District of North Carolina, case no. 1:22-CV-00074, 1:13-cr-435-1;
(3) RE: Commonwealth of Virginia v. Brian David Hill, Circuit Court for the City of Martinsville, Commonwealth of Virginia, case no. CR19000009-00

SATURDAY, JULY 23, 2022

ATTN: Aaron M. Ziglar Dispute Resolution Specialist Office of the Attorney General 202 North 9th Street Richmond, Virginia 23219 Phone: (804) 786-1244 FAX: (804) 225-4378 AZiglar@oag.state.va.us	**ATTN: Eric H. Ferguson, Esq.** RHODES & FERGUSON ATTORNEYS AT LAW 305 S. Main Street Rocky Mount, VA 24151 eferguson@fergusonlaw.net Phone: 540-483-5234 FAX: 540-483-5763
ATTN: Truist Bank 214 N Tryon St Charlotte, NC 28202	**ATTN: Federal Deposit Insurance Corporation** 550 17th Street, N.W. Washington, D.C. 20429
ATTN: SUNTRUST BANK PO BOX 305183 NASHVILLE, TN 37230-5183	**All Federal and State Courts listed herein**

To Whom it may Concern,

I would like to respectfully request a litigation hold of evidence and records with TRUIST Bank, SunTrust Bank, and the bank which Mr. JaCody Cassell (owner) or any authorized agent for the business named "THE CHIMNEY SWEEP" cashed in or

withdrawn from a $300 check from Roberta R. Hill, check dated October 5, 2017.

This is the business which the records would show that somebody from this company had cashed in the check or withdrawn the money from the check:

The Chimney Sweep
1590 Blue Bend Road
Rocky Mount, Virginia 24151
(540) 483-2468

This is a litigation hold letter. This letter will be filed in two federal cases and one state case. So this litigation hold letter is being filed with the banks and with the FDIC by Brian David Hill by and through Roberta R. Hill (rbhill67@comcast.net) as Petitioner Brian David Hill cannot use the internet and must use a filing representative to file and communicate electronically on behalf of Brian David Hill over this matter.

The litigation hold letter has attached a check stub record of $300 being paid for to a business entity known as “THE CHIMNEY SWEEP”, the check dated October 5, 2017, and was paid from the bank account of Roberta Ruth Hill on October 6, 2017 (when the money had left her account) at the time while under SunTrust bank, now is known as TRUIST. So the obtained record received on July 23, 2022 was given to Brian Hill by Roberta Hill as evidence. The bank should also be aware of who cashed the check in, or can forward this LITIGATION HOLD LETTER to the bank which Mr. JaCody Cassell had cashed the $300 check from Roberta Ruth Hill to pay for a service from this chimney company in Rocky Mount, Virginia. A photograph of the $300 check stub with the check number, also referenced in the bank statement of Roberta Hill's bank account, will be included as attached to this letter.

I am proceeding In Forma Pauperis in all three listed cases and cannot afford the fees for this litigation hold letter. It will be up to the U.S. Attorney Office who prosecuted me and the Commonwealth Attorney who prosecuted me to investigate the issues I have raised in this litigation hold letter, and to deal with the legal costs for retention of evidence subject to Brady v. Maryland, 373 U.S. 83 (1963); and Giglio v. United States, 405 U.S. 150 (1972).

Under the Bank Secrecy Act, all banks have to retain check records and bank records for at least five (5) years. Brian Hill, the Petitioner in two cases and criminal defendant in the Circuit court case asks the bank for retention of specific records beyond

the five year retention period of the Bank Secrecy Act until the litigation of the foregoing listed three cases (two are federal, one is state) have been resolved and disposed of under the Federal Rules of Evidence, Federal Rules of Civil and Criminal Procedures, and Rules of the Virginia Courts.

The following Brian David Hill requests such records in the bank(s) be retained, preserved, and not destroyed and not be spoliated (spoliation):

1. Photocopy of the cashed in or withdrawn check from the company: “The Chimney Sweep” for the amount of $300, check dated October 5, 2017, and cashed in on October 6, 2017 and was cashed in from any authorized agent of the company: “The Chimney Sweep” or Mr. JaCody Cassell (owner) of the company: “The Chimney Sweep”.
2. Bank statements from both Roberta Ruth Hill in October, 2017, and any account statements regarding cashing in or withdrawing money from the $300 check from any authorized agent of the company: “The Chimney Sweep” or Mr. JaCody Cassell (owner) of the company: “The Chimney Sweep”.

These records are important as this person is a difficult witness who will not cooperate with Brian David Hill requesting that he testify in his criminal case in admitting to a simple mistake which changed the life of Brian David Hill by being subject long-term to carbon monoxide poisoning in Apartment 2 of 310 Forest Street, Martinsville, Virginia 24112, from October 5, 2017, until September 20, 2018, prior to the arrest of Brian David Hill on September 21, 2018.

The records help prove that Mr. JaCody Cassell through his legal counsel Mr. Eric Ferguson had lied about never doing any chimney work and never doing any estimate to Aaron Ziglar of the Dispute Resolution Unit, a office of the Attorney General Office for the Commonwealth of Virginia. Case no. 953850. Lied about conducting no estimate and not doing any work at the residence of Roberta Hill. $300 was paid to The Chimney Sweep and retention of those records is necessary for the litigation in all three cases.

The purpose is to help prove the actual innocence of Brian David Hill for his charge of indecent exposure on September 21, 2018, in the General District Court for the City of Martinsville, appealed to the Circuit Court for the City of Martinsville. As any evidence of carbon monoxide induced intoxication is a recognized criminal defense of “intoxication” which can cause incidents such as indecent exposure. Not just proving actual innocence for the state charge, but also to help prove actual innocence in the

Federal Court in petitioning for Writ of Habeas Corpus in the Western District of Virginia by federal 2254 motion. As well as proving actual innocence to the supervised release violation charge on November 13, 2018. All three cases will need preservation of these records due to the difficulty of witness from The Chimney Sweep to ever admit to the issue of metal tin being placed on top of the chimney flues blocking the exhaust of the gas hot water heater and gas radiator below Apartment 2, the gas appliances in Apartment 3. The blocking of the exhaust of gas ventilation at the top of the chimney had caused the carbon monoxide gas poisoning and carbon monoxide gas exposure of Brian David Hill from October 5, 2017, until September 20, 2018, prior to the arrest of Brian David Hill on September 21, 2018. The type of gas which was in the issue of carbon monoxide was “natural gas”. His mental health disorders of AUTISM SPECTRUM DISORDER, a neurological disorder, had worsened with the carbon monoxide exposure, prolonged exposure, long term exposure, had caused Mr. Hill to walk around naked outside at night on a deserted walking trail for hours causing the police to arrest this innocent man for indecent exposure, the police unaware of the carbon monoxide gas. A chimney business expert known as Pete Compton of ACE Chimney & Wildlife; Bassett, VA, found the metal tin blocking the exhaust flue or flues of the chimney, and that was on January 30, 2019.

The legal reasons for why retention of those financial records and check records are necessary for this difficult witness, Mr. JaCody Cassell. He is refusing to accept responsibility and refusing to cooperate with Brian Hill's repeated requests for him to voluntarily testify and admit to or admit that one of his employees had placed the metal tin on the chimney on October 5, 2017. Denying ever doing an estimate, denying ever conducting a service. Denied everything. He is a difficult witness and such difficult witness warrants preservation of the listed records until all three litigation cases listed herein are resolved.

The three cases which the litigation hold letter is regarding preservation of evidence for three different cases listed herein:

Title of case or case style:	Case number:	Courthouse:
Brian David Hill v. Commonwealth of Virginia	7:22-cv-00336	U.S. District Court, Western District of Virginia
Brian David Hill v. United States of America	1:22-CV-00074, 1:13-cr-435-1	U.S. District Court, Middle District of North Carolina
Commonwealth of Virginia	CR19000009-00	Circuit Court for the City of

v. Brian David Hill		Martinsville, Commonwealth of Virginia

Brian did not wanted to take things this far but to prove actual innocence he must fight with every avenue he has at his disposal to clear his name of any misdoing on September 21, 2018. Brian must prove his innocence and therefore the records must be retained due to the witness Mr. JaCody Cassell being a difficult witness refusing to admit to anything which caused the metal tin to further cause the issue of carbon monoxide poisoning of Brian David Hill.

Thank You. Respectfully filed with the banks and FDIC, this the 23rd day of July, 2022.



God bless you,
Brian D. Hill
Ally of Q, Former news reporter of U.S.W.G.O. Alternative News
310 Forest Street, Apartment 2
Martinsville, Virginia 24112
(276) 790-3505

JusticeForUSWGO.NL or JusticeForUSWGO.wordpress.com


Google
Street View - Jul 2022
Google

EXHIBIT 3

TRUIST

Client Advocacy
P.O. Box 85024
Richmond, VA 23285-5024
Tel 844-4TRUIST

Kathy Bowles
Assistant Vice President
Client Resolution Senior Specialist

August 11, 2022

Roberta R. Hill
310 Forest St., Apt. 1
Martinsville, VA 24112

Re: Everyday Checking Account ending in 0541
Consumer Financial Protection Bureau (CFPB) Case 220708-9015906
Federal Deposit Insurance Corporation (FDIC) Case 01419660

Dear Ms. Hill:

We have received and reviewed your concerns forwarded to us from the CFPB and the FDIC regarding your request for a statement and check copy from the account referenced above. I understand you did not have a positive experience and apologize for any frustration caused. I appreciate the opportunity to respond.

Our records indicate that your statement dated October 19, 2017, shows Check 168, payable to The Chimney Sweep, was paid on October 6, 2017 for $300.00. Enclosed is a copy of the statement and check for your review.

Ms. Hill, I hope this information is helpful and will alleviate further concerns. Should you have any questions or additional concerns, please call us at 844-4TRUIST (844-487-8478). A representative will be glad to speak with you.

Sincerely,

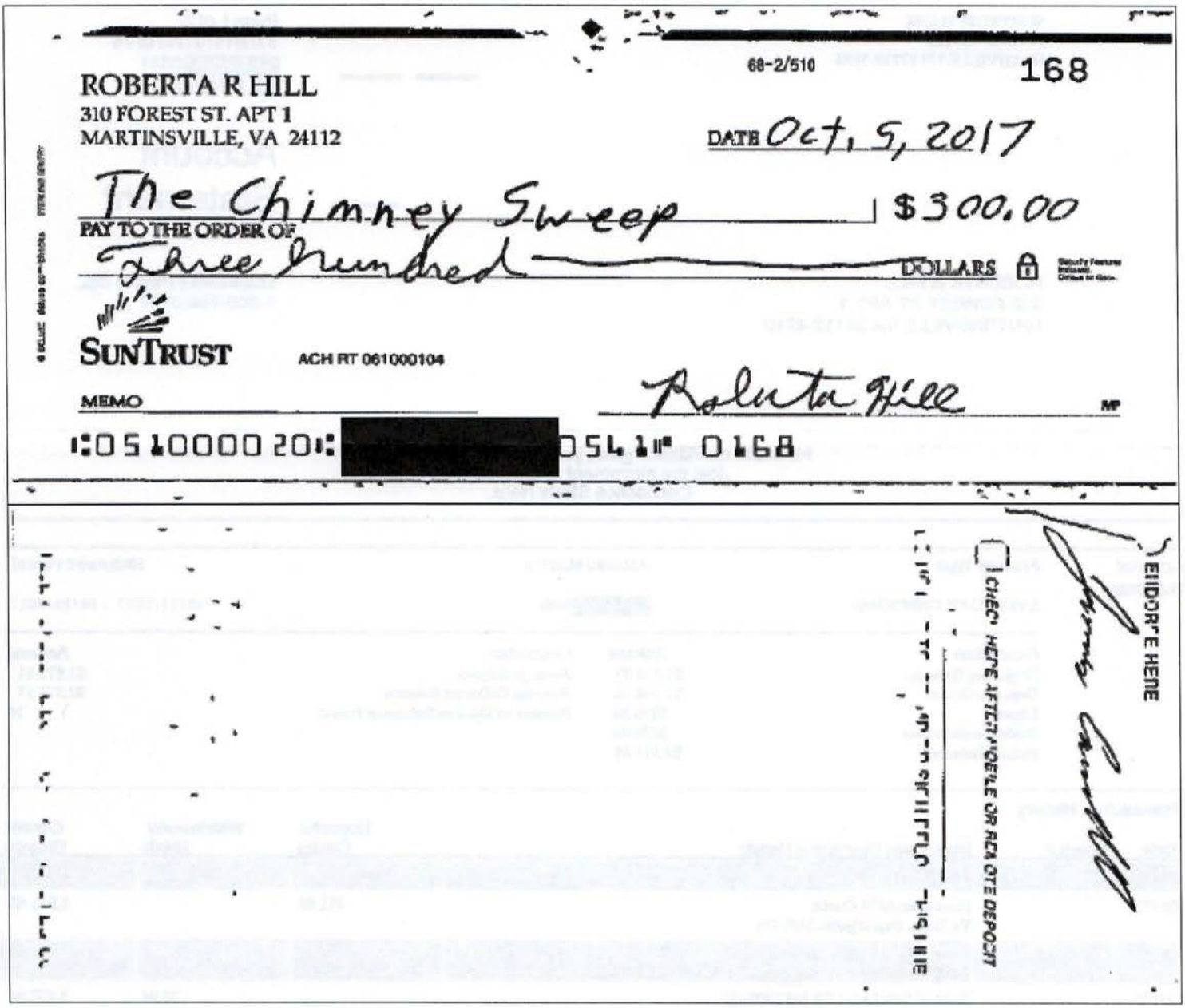
Kathy Bowles

Kathy Bowles
Assistant Vice President, Client Resolution Senior Specialist
Consumer Regulatory & Executive Services Team

Enclosures

Copies to: Consumer Financial Protection Bureau
Federal Deposit Insurance Corporation

Truist Bank, Member FDIC. © 2022 Truist Financial Corporation. Truist, the Truist logo and Truist Purple are service marks of Truist Financial Corporation.



ROBERTA R HILL
310 FOREST ST. APT 1
MARTINSVILLE, VA 24112

68-2/510

168

DATE Oct. 5, 2017

PAY TO THE ORDER OF The Chimney Sweep $300.00

Three Hundred DOLLARS

SUNTRUST ACH RT 061000104

MEMO

Roberta Hill

⑆051000020⑆ [redacted] 0541" 0168

ENDORSE HERE

CHECK HERE AFTER MOBILE OR REMOTE DEPOSIT

SUNTRUST BANK
PO BOX 305183
NASHVILLE TN 37230-5183

63/B11/0175/0/74
[redacted]0541
10/19/2017

Account Statement

Transaction History

Date	Check #	Transaction Description Details	Deposits/ Credits	Withdrawals/ Debits	Current Balance
10/03		Check Card Purchase TR DATE10/01 Arv*arvixe 888-9278493 Ca		19.90	3,029.86
10/05		Point of Sale Debit TR DATE10/04 Amazon.Com Seattle Wa 00000101		18.42	3,011.44
10/06		Electronic/ACH Credit Va Dmas PayrolljnlRa2496762	712.46		
10/06		Point of Sale Debit TR DATE10/06 Amazon.Com Seattle Wa 00000101		80.63	
10/06	168	Check		300.00	3,343.27
10/10		Point of Sale Debit TR DATE10/08 Amazon.Com Seattle Wa 00000100		21.39	
10/10		Point of Sale Debit TR DATE10/08 Amazon.Com Seattle Wa 00000100		6.64	
10/10		Point of Sale Debit TR DATE10/09 Wm Supercenter Martinsville Va12430060		62.13	
10/10	169	Check		245.28	
10/10	167	Check		325.00	2,682.83
10/11		Electronic/ACH Debit UtilityGas Compan 38171		22.81	2,660.02
10/12		Check Card Purchase TR DATE10/12 Tracfone *Services Tracfone.Com Fl		9.63	
10/12		Point of Sale Debit TR DATE10/10 Amazon.Com Seattle Wa 00000100		188.35	2,462.04
10/13		Electronic/ACH Debit Capital One Online Pmt Ckf784798608pos		5.49	2,456.55
10/18		Electronic/ACH Debit Comcast Online Pmt Ckf784798608pos		144.69	2,311.86
10/19		Ending Balance			2,311.86
		Credit and Debit Totals	$1,508.18	$1,540.34	

The Ending Daily Balances provided do not reflect pending transactions or holds that may have been outstanding when your transactions posted that day. If your available balance wasn't sufficient when transactions posted, fees may have been assessed.
For more information, including details related to fees and balances, please sign on to Online Banking.

Balance Activity History

Date	Balance	Collected Balance	Date	Balance	Collected Balance
09/21	2,344.02	2,344.02	10/05	3,011.44	3,011.44
09/22	3,056.48	3,056.48	10/06	3,343.27	3,343.27
09/25	3,081.88	3,081.88	10/10	2,682.83	2,682.83
09/27	3,052.94	3,052.94	10/11	2,660.02	2,660.02
09/29	3,110.80	3,110.80	10/12	2,462.04	2,462.04
10/02	3,049.76	3,049.76	10/13	2,456.55	2,456.55
10/03	3,029.86	3,029.86	10/18	2,311.86	2,311.86

Live confidently knowing that you're prepared for what comes your way. When you have the right savings plan, life's opportunities are a cause for celebration, not calculation. Plan today for an exciting tomorrow.
Go to suntrust.com/save, call 800.322.3158 or visit your local branch to get started.
SunTrust Bank, Member FDIC.

TRUIST

Truist Bank
306-18-02-40
PO Box 85024
Richmond, VA 23294

US POSTAGE PITNEY BOWES
ZIP 28217 $ 000.45[5]
02 4W
0000348030 AUG 12 2022

Received on
August 15, 2022

Roberta R. Hill
310 Forest St., Apt. 1
Martinsville, VA 24112

632074509 21 GAK3N5B 24112

TRUIST

Client Advocacy
P.O. Box 85024
Richmond, VA 23285-5024
Tel 844-4TRUIST

Kathy Bowles
Assistant Vice President
Client Resolution Senior Specialist

August 11, 2022

Roberta R. Hill
310 Forest St., Apt. 1
Martinsville, VA 24112

Re: Everyday Checking Account ending in 0541
Consumer Financial Protection Bureau (CFPB) Case 220708-9015906
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Dear Ms. Hill:

We have received and reviewed your concerns forwarded to us from the CFPB and the FDIC regarding your request for a statement and check copy from the account referenced above. I understand you did not have a positive experience and apologize for any frustration caused. I appreciate the opportunity to respond.

Our records indicate that your statement dated October 19, 2017, shows Check 168, payable to The Chimney Sweep, was paid on October 6, 2017 for $300.00. Enclosed is a copy of the statement and check for your review.

Ms. Hill, I hope this information is helpful and will alleviate further concerns. Should you have any questions or additional concerns, please call us at 844-4TRUIST (844-487-8478). A representative will be glad to speak with you.

Sincerely,

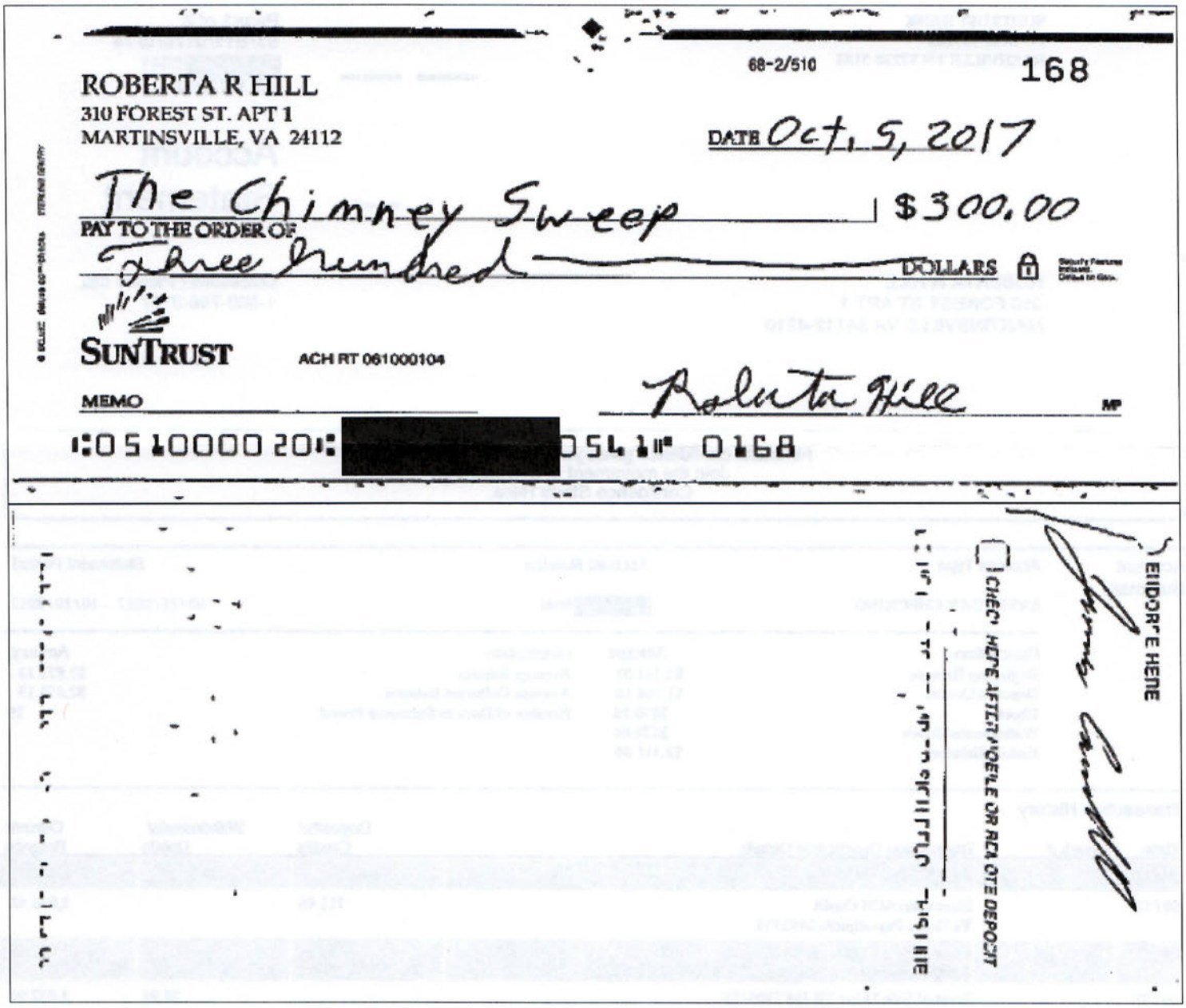
Kathy Bowles

Kathy Bowles
Assistant Vice President, Client Resolution Senior Specialist
Consumer Regulatory & Executive Services Team

Enclosures

Copies to: Consumer Financial Protection Bureau
Federal Deposit Insurance Corporation

Truist Bank, Member FDIC. © 2022 Truist Financial Corporation. Truist, the Truist logo and Truist Purple are service marks of Truist Financial Corporation.



ROBERTA R HILL
310 FOREST ST. APT 1
MARTINSVILLE, VA 24112

68-2/510

168

DATE Oct. 5, 2017

PAY TO THE ORDER OF The Chimney Sweep $300.00

Three Hundred DOLLARS

SUNTRUST

ACH RT 061000104

MEMO

Roberta Hill

⑆051000020⑆ [redacted] 0541" 0168

ENDORSE HERE

CHECK HERE AFTER MOBILE OR REMOTE DEPOSIT

SUNTRUST BANK
PO BOX 305183
NASHVILLE TN 37230-5183

63/B11/0175/0/74
[redacted]0541
10/19/2017

Account Statement

Transaction History

Date	Check #	Transaction Description Details	Deposits/ Credits	Withdrawals/ Debits	Current Balance
10/03		Check Card Purchase TR DATE10/01 Arv*arvixe 888-9278493 Ca		19.90	3,029.86
10/05		Point of Sale Debit TR DATE10/04 Amazon.Com Seattle Wa 00000101		18.42	3,011.44
10/06		Electronic/ACH Credit Va Dmas PayrolljnlRa2496762	712.46		
10/06		Point of Sale Debit TR DATE10/06 Amazon.Com Seattle Wa 00000101		80.63	
10/06	168	Check		300.00	3,343.27
10/10		Point of Sale Debit TR DATE10/08 Amazon.Com Seattle Wa 00000100		21.39	
10/10		Point of Sale Debit TR DATE10/08 Amazon.Com Seattle Wa 00000100		6.64	
10/10		Point of Sale Debit TR DATE10/09 Wm Supercenter Martinsville Va12430060		62.13	
10/10	169	Check		245.28	
10/10	167	Check		325.00	2,682.83
10/11		Electronic/ACH Debit UtilityGas Compan 38171		22.81	2,660.02
10/12		Check Card Purchase TR DATE10/12 Tracfone *Services Tracfone.Com Fl		9.63	
10/12		Point of Sale Debit TR DATE10/10 Amazon.Com Seattle Wa 00000100		188.35	2,462.04
10/13		Electronic/ACH Debit Capital One Online Pmt Ckf784798608pos		5.49	2,456.55
10/18		Electronic/ACH Debit Comcast Online Pmt Ckf784798608pos		144.69	2,311.86
10/19		Ending Balance			2,311.86
		Credit and Debit Totals	$1,508.18	$1,540.34	

The Ending Daily Balances provided do not reflect pending transactions or holds that may have been outstanding when your transactions posted that day. If your available balance wasn't sufficient when transactions posted, fees may have been assessed.
For more information, including details related to fees and balances, please sign on to Online Banking.

Balance Activity History

Date	Balance	Collected Balance	Date	Balance	Collected Balance
09/21	2,344.02	2,344.02	10/05	3,011.44	3,011.44
09/22	3,056.48	3,056.48	10/06	3,343.27	3,343.27
09/25	3,081.88	3,081.88	10/10	2,682.83	2,682.83
09/27	3,052.94	3,052.94	10/11	2,660.02	2,660.02
09/29	3,110.80	3,110.80	10/12	2,462.04	2,462.04
10/02	3,049.76	3,049.76	10/13	2,456.55	2,456.55
10/03	3,029.86	3,029.86	10/18	2,311.86	2,311.86

Live confidently knowing that you're prepared for what comes your way. When you have the right savings plan, life's opportunities are a cause for celebration, not calculation. Plan today for an exciting tomorrow.
Go to suntrust.com/save, call 800.322.3158 or visit your local branch to get started.
SunTrust Bank, Member FDIC.

Thank You

Office of the Attorney General of Virginia
Consumer Protection Section

PLEASE PRINT THIS FOR YOUR RECORDS

Thank you for submitting your information. If you need to submit additional information or supporting documents for this complaint, you may send them via email to: consumer@oag.state.va.us, please reference this confirmation number:

Confirmation Number: 22-02753

If necessary, you may fax the information to (804) 225-4378 or mail the documents to:

Office of the Attorney General of Virginia
Consumer Protection Section
202 North Ninth Street
Richmond, VA 23219

If you have questions or need further assistance please email us at: consumer@oag.state.va.us. You may also call us at (804) 786-2042 if calling within Virginia, or (800) 552-9963 if calling outside of Virginia.

Below is a copy of the data that you sent us on 8/16/2022 12:19:13 AM est. Please print or save this data for your records.

Section 1: Contact Information

Title	Mr.
First Name	Brian
Middle Initial	D
Last Name	Hill
Suffix	
Address	310 Forest Street
Apt / Suite	Apt. 2

3479

Section 1: Contact Information

City	Martinsville
State	VA
Zip Code	24112
Country	

Contact Methods

Order	Method Type	Contact Information
1	Email	rbhill67@comcast.net
2	Home	(276) 790-3505

Section 2: Company Information

Company Name	The Chimney Sweep
Address	1590 Blue Bend Rd
Office / Suite	
City	Rocky Mount
State	VA
Zip Code	24151
Country	
Web Site	
Telephone	(540) 483-2468
Fax	
Other	(540) 493-2330

Section 3: Complaint Information

Product Type	Home improvement
Additional Information	chimney service, they lied to Aaron Ziglar
Manufacturer, make or brand	N\A
Model	
Year	
Serial Number / VIN	

3480

Section 3: Complaint Information

Date of purchase or lease	10/5/2017
New or used?	New
Contract or lease signed?	No
Start Date	
End Date	
Total Amount Paid	$300.00
Total Amount Disputed	$0.00
Payment method(s)	Check
Purchased extended service contract?	No
Automotive Repairs	
Received estimate?	No
Authorized changes to estimate?	No
Completed repairs different?	Yes

Section 4: Description Information

Section 4: Description Information

Complaint Description	Roberta Hill is submitting online complaint on behalf of Brian David Hill. This is new evidence that JaCody Cassell had lied and the photocopy of the signed check for $300 paid for to The Chimney Sweep, signed by "cassell". The original complaint was May 17, 2022. JaCody Cassell by and through his lawyer Eric Ferguson had prejudiced Aaron Ziglar into dismissing complaint without resolution. They lied two times to the dispute Resolution Unit, lied two times to Aaron Ziglar. Lied about doing no estimate and lying about no work done for Roberta Hill. This may be fraud since they claimed to have never done any work for Roberta Hill. They lied to have a valid complaint dismissed. Instead of simply claiming not to remember, he claimed to have no records and done no work at all. $300 for paid by check signed by "cassell" of The Chimney Sweep. That payment was reportedly for nothing since Mr. Cassell is denying ever doing any work for which the $300 was paid. That is fraud, he has defrauded the Attorney General by such false claims. He didn't have to respond, it was voluntary. Cassell lied to Aaron Ziglar, lied to the dispute Resolution Unit. They have engaged in fraud or deception or both. See the attached evidence brief and exhibits 1-3: "OAG_Consumer_Complaint August 16, 2022 brief(1) w_evidence.pdf". The check record, a photocopy, signed by the business owner or manager, Mr. JaCody Cassell or James Cassell. Phone records, all proving cumulatively that this business has lied to dismiss a complaint and has lied to refuse to correct their own human error. They have lied to try to win. They have defamed Brian David Hill, they have victimized my son, they lied to get out of accepting responsibility for their human error of almost killing Brian Hill and Roberta Hill with the carbon monoxide gas by blocking the chimney flues of chimney. They are refusing to accept responsibility for their mistakes, they are not worthy of being licensed as a business.

Section 5: Resolution Information

Company contacted?	No
Contact Name	
Contact Number	
Contact Email	
Resolution Seeking	Listed in brief, they need to admit to what they did, they need to apologize for lying to OAG in response to first complaint
Other Organizations Contacted	

Section 5: Resolution Information

Retained attorney?	No
Attorney Name	
Attorney Phone	
Court action?	Yes
Court Description	Habeas Corpus case, 2255 motion case 1:13-cr-435-1, not about the lying part yet, added as proposed witness list

Section 6: Supporting Documents

Sending documents later?	No

Uploaded Files

File Name	Size	Type
OAG_Consumer_Complaint August 16, 2022 brief(1) w_evidence.pdf	3.3 MB	Complaint Description
USWGO_20220815_194924.PDF	1.8 MB	Other

;

Subject: Consumer Complaint Submission
From: Consumer Protection <consumersvc@oag.state.va.us>
Date: 8/16/2022, 4:19 AM
To: <rbhill67@comcast.net>

Thank You

Office of the Attorney General of Virginia Consumer Protection Section

Thank you for submitting your information. If you need to submit additional information or supporting documents for this complaint, you may send them via email to: consumer@oag.state.va.us, please reference this confirmation number:

Confirmation Number: 22-02753

If necessary, you may fax the information to (804) 225-4378 or mail the documents to:

Office of the Attorney General of Virginia
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900 East Main Street
Richmond, VA 23219

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Section 1: Contact Information

Title	Mr.
First Name	Brian
Middle Initial	D
Last Name	Hill
Suffix	
Address	310 Forest Street
App/Suite	Apt. 2
City	Martinsville
State	VA
Zip Code	24112

3484

Section 1: Contact Information

Country

Contact Methods

Order	Method Type	Contact Information
1	Email	rbhill67@comcast.net
2	Home	(276) 790-3505

Section 2: Company Information

Company Name	The Chimney Sweep
Address	1590 Blue Bend Rd
Office / Suite	
City	Rocky Mount
State	VA
Zip Code	24151
Country	
Web Site	
Telephone	(540) 483-2468
Fax	
Other	(540) 493-2330

Section 3: Complaint Information

Product Type	Home improvement
Additional Information	chimney service, they lied to Aaron Ziglar
Manufacturer, make or brand	N\A
Model	
Year	
Serial Number / VIN	
Date of purchase or lease	10/5/2017
New or used?	New
Contract or lease signed?	No
Start Date	
End Date	
Total Amount Paid	$300.00
Total Amount Disputed	$0.00

Section 1: Contact Information

Payment method(s)	Check
Purchased extended service contract?	No
Automotive Repairs	
Received estimate?	No
Authorized changes to estimate?	No
Completed repairs different?	Yes

Section 4: Description Information

Complaint Description	Roberta Hill is submitting online complaint on behalf of Brian David Hill. This is new evidence that JaCody Cassell had lied and the photocopy of the signed check for $300 paid for to The Chimney Sweep, signed by "cassell". The original complaint was May 17, 2022. JaCody Cassell by and through his lawyer Eric Ferguson had prejudiced Aaron Ziglar into dismissing complaint without resolution. They lied two times to the dispute Resolution Unit, lied two times to Aaron Ziglar. Lied about doing no estimate and lying about no work done for Roberta Hill. This may be fraud since they claimed to have never done any work for Roberta Hill. They lied to have a valid complaint dismissed. Instead of simply claiming not to remember, he claimed to have no records and done no work at all. $300 for paid by check signed by "cassell" of The Chimney Sweep. That payment was reportedly for nothing since Mr. Cassell is denying ever doing any work for which the $300 was paid. That is fraud, he has defrauded the Attorney General by such false claims. He didn't have to respond, it was voluntary. Cassell lied to Aaron Ziglar, lied to the dispute Resolution Unit. They have engaged in fraud or deception or both. See the attached evidence brief and exhibits 1-3: "OAG_Consumer_Complaint August 16, 2022 brief(1) w_evidence.pdf". The check record, a photocopy, signed by the business owner or manager, Mr. JaCody Cassell or James Cassell. Phone records, all proving cumulatively that this business has lied to dismiss a complaint and has lied to refuse to correct their own human error. They have lied to try to win. They have defamed Brian David Hill, they have victimized my son, they lied to get out of accepting responsibility for their human error of almost killing Brian Hill and Roberta Hill with the carbon monoxide gas by blocking the chimney flues of chimney. They are refusing to accept responsibility for their mistakes, they are not worthy of being licensed as a business.

Section 5: Resolution Information

Section 1: Contact Information

Company contacted?	No
Contact Name	
Contact Number	
Contact Email	
Resolution Seeking	Listed in brief, they need to admit to what they did, they need to apologize for lying to OAG in response to first complaint
Other Organizations Contacted	
Retained attorney?	No
Attorney Name	
Attorney Phone	
Court action?	Yes
Court Description	Habeas Corpus case, 2255 motion case 1:13-cr-435-1, not about the lying part yet, added as proposed witness list

Section 6: Supporting Documents

Sending documents later?	No		
	File Name	**Size**	**Type**
Uploaded Files	USWGO_20220815_194924.PDF	1.8 MB	Other
	OAG_Consumer_Complaint August 16, 2022 brief(1) w_evidence.pdf	3.3 MB	Complaint Description

Submit

	Suppress Personal Information	True

This electronic communication may contain confidential or privileged information for an intended recipient. If you are not the intended recipient or received this email in error, please notify the sender immediately by return email and delete this email without disclosing, duplicating or otherwise transmitting the contents, including all attachments.

Office of the Attorney General

Consumer Service Account |
Office of the Attorney General

,
O: | M: | F:

3487

CServiceAccount@oag.state.va.us
https://www.oag.state.va.us

VIRGINIA: IN THE CIRCUIT COURT FOR THE CITY OF MARTINSVILLE

COMMONWEALTH OF VIRGINIA

v.

ORDER
Case No. CR19000009-00

BRIAN DAVID HILL

UPON CONSIDERATION of the defendant's Motion for Judgment of Acquittal or New Trial, it is ORDERED that said motion is hereby DENIED on the ground of lack of jurisdiction.

ENTER: This 7th day of September, 2022.

Judge

Endorsement is dispensed with – Rule 1:13

TWENTY-FIRST
JUDICIAL CIRCUIT
OF VIRGINIA

VIRGINIA: IN THE CIRCUIT COURT FOR THE CITY OF MARTINSVILLE

COMMONWEALTH OF VIRGINIA

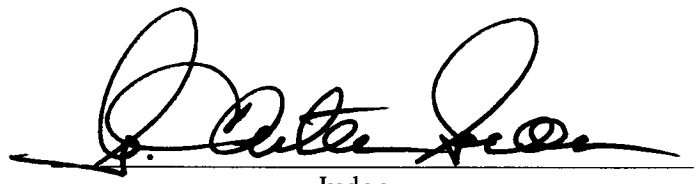
v.

ORDER
Case No. CR19000009-00

BRIAN DAVID HILL

UPON CONSIDERATION of the defendant's Motion Requesting Commonwealth Attorney Respond to Motion for Judgment of Acquittal or New Trial, it is ORDERED that said motion is hereby DENIED.

ENTER: This 13th day of September, 2022.



Judge

Endorsement is dispensed with – Rule 1:13

Received On 9/6/2022 By User: apritchett Circuit Court Clerk's Office Martinsville, VA Ashby R. Pritchett, Clerk

VIRGINIA: IN THE CIRCUIT COURT FOR THE CITY OF MARTINSVILLE

COMMONWEALTH OF VIRGINIA, CITY OF MARTINSVILLE, PLAINTIFF(s),	)	CASE NO: CR19000009-00
v.	)	MOTION REQUESTING COMMONWEALTH ATTORNEY RESPOND TO MOTION FOR JUDGMENT OF ACQUITTAL OR NEW TRIAL PURSUANT TO RULE 3A:15 BASED UPON NEW EVIDENCE OF SUSPECT JACODY CASSELL OF BUSINESS ENTITY: THE CHIMNEY SWEEP WHO CAUSED CARBON MONOXIDE POISONING INTOXICATION OF CRIMINAL DEFENDANT WARRANTING NEW TRIAL OR ACQUITTAL
BRIAN DAVID HILL, DEFENDANT.	)	

MOTION REQUESTING COMMONWEALTH ATTORNEY RESPOND TO MOTION FOR JUDGMENT OF ACQUITTAL OR NEW TRIAL PURSUANT TO RULE 3A:15 BASED UPON NEW EVIDENCE OF SUSPECT JACODY CASSELL OF BUSINESS ENTITY: THE CHIMNEY SWEEP WHO CAUSED CARBON MONOXIDE POISONING INTOXICATION OF CRIMINAL DEFENDANT WARRANTING NEW TRIAL OR ACQUITTAL

Respectfully submitted with the Court,

This the 4th day of September, 2022.

Brian D. Hill
Signed

Brian D. Hill

Brian D. Hill
Defendant
Former news reporter of U.S.W.G.O. Alternative News
Ally of Q
310 Forest Street, Apartment 2
Martinsville, Virginia 24112
(276) 790-3505

U.S.W.G.O.

JusticeForUSWGO.NL or JusticeForUSWGO.wordpress.com

Received On 9/19/2022 By User: apritchett Circuit Court Clerk's Office Martinsville, VA Ashby R. Pritchett, Clerk

*To be supplied by the Clerk

Record #	BRIAN DAVID HILL v. COMMONWEALTH OF VIRGINIA, et al.

AFFIDAVIT OF INDIGENCE

NAME: Brian David Hill

ADDRESS: 310 Forest Street, Apt. 2, Martinsville, VA 24112

OCCUPATION: Disabled, Permanently disabled, handicapped

HOUSEHOLD SIZE (TOTAL NUMBER OF PERSONS RESIDING IN THE HOME THAT YOU HAVE FINANCIAL RESPONSIBILITY FOR, INCLUDING YOURSELF): 1 Person in Apartment 2

NET MONTHLY INCOME: $841.00, SSI Disability 42 U.S.C. §407 protected, from U.S. Treasury

NET MONTHLY INCOME OF SPOUSE: N\A

NET MONTHLY INCOME OF EMPLOYED DEPENDENTS: N\A

AMOUNT ON DEPOSIT IN BANKS: $55.91 at the time of this Affidavit/Declaration

VALUE OF EQUITY IN REAL ESTATE: Own no Real Estate, pay $500 monthly rent

INCOME PRODUCED BY REAL ESTATE: N\A

OTHER INCOME: Only SSI is my approved income by the Federal Government

VALUE OF PERSONAL PROPERTY: Used furniture and hygiene products, not much for used items. The furniture is rented and part of the Apartment being rented.

MAKE, MODEL, AND YEAR OF CARS OWNED: Own no cars

VALUE OF INTEREST IN OTHER PROPERTY: Own no land, own no cars, own no property

APPROXIMATE INDEBTEDNESS:	AMOUNT	LENDER
Circuit Court of Martinsville	$1,224, likely more but I don't know what total legal debt is.	Legal Costs

NOTE:
I usually use up my entire monthly SSI money on things I need like paying any monthly bills such as Rent, hygiene products, legal or mailing expenses, things to deal with my anxiety and stress as I have Generalized Anxiety Disorder as documented in Fed. Court, and any other needs/necessities.

I declare under penalty of perjury that the foregoing is true and correct.

I hereby certify that the foregoing information is accurate to the best of my knowledge.

Executed on September 19, 2022.

Brian D. Hill
Signed

Signature of Petitioner **Brian D. Hill**

310 Forest Street, Apt. 2
Martinsville, Virginia 24112
(276) 790-3505
Filing Assistant:
Roberta Hill
rbhill67@comcast.net

Certificate of Service

I hereby certify that a true and exact copy of the foregoing affidavit was transmitted by fax/facsimile and by Roberta Hill using email rbhill67@justiceforuswgo.nl/rbhill67@comcast.net, on the following counsel for Appellee's: (1) City of Martinsville and (2) Commonwealth of Virginia:

Martinsville Commonwealth's Attorney
Office 55 W Church St
PO Box 1311
Martinsville, VA 24114
ahall@ci.martinsville.va.us

Attorney General of Virginia
202 North Ninth Street
Richmond, VA 23219
oagcriminallitigation@oag.state.va.us

on the 19th day of September, 2022
(date) (month)

I hereby certify that the foregoing Affidavit/Declaration was filed by Assistant/Representative Roberta Hill through rbhill67@justiceforuswgo.nl/rbhill67@comcast.net through Virginia Court eFiling System (VACES) with the Clerk of the Court of Appeals of Virginia due to the compliance with the Supervised Release conditions of Appellant:

Brian D. Hill
Signed

Signature of Petitioner **Brian D. Hill**

310 Forest Street, Apt. 2
Martinsville, Virginia 24112
(276) 790-3505
Filing Assistant:
Roberta Hill
rbhill67@comcast.net

Received On 9/19/2022 By User: apritchett Circuit Court Clerk's Office Martinsville, VA Ashby R. Pritchett, Clerk

VIRGINIA: IN THE CIRCUIT COURT FOR THE CITY OF MARTINSVILLE

COMMONWEALTH OF VIRGINIA, CITY OF MARTINSVILLE, PLAINTIFF(s),	)	CASE NO: CR19000009-00
v.	)	NOTICE OF APPEAL (1)
BRIAN DAVID HILL, DEFENDANT.	)	

NOTICE OF APPEAL (1)

Respectfully submitted with the Court,

This the 19th day of September, 2022.

Brian D. Hill
Signed

Brian D. Hill

Brian D. Hill
Defendant
Former news reporter of U.S.W.G.O. Alternative News
Ally of Q
310 Forest Street, Apartment 2
Martinsville, Virginia 24112
(276) 790-3505

JusticeForUSWGO.NL or JusticeForUSWGO.wordpress.com

COVER PAGE

SUMMARY

Brian David Hill, criminal case Defendant, and Appellant, pro se, hereby appeals to the Court of Appeals of Virginia from the final judgment of this Court by final order entered September 7, 2022 (attached thereto), denying Brian Hill's entitled:

1. Motion entitled: "MOTION FOR JUDGMENT OF ACQUITTAL OR NEW TRIAL PURSUANT TO RULE 3A:15 BASED UPON NEW EVIDENCE OF SUSPECT JACODY CASSELL OF BUSINESS ENTITY: THE CHIMNEY SWEEP WHO CAUSED CARBON MONOXIDE POISONING INTOXICATION OF CRIMINAL DEFENDANT WARRANTING NEW TRIAL OR ACQUITTAL", filed on September 6, 2022.

2. Motion entitled: "MOTION FOR JUDGMENT OF ACQUITTAL OR NEW TRIAL PURSUANT TO RULE 3A:15 BASED UPON NEW EVIDENCE WHICH DISPROVES THE ELEMENTS OF CHARGED CRIME BY PROSECUTION, EVIDENCE WARRANTING NEW TRIAL OR ACQUITTAL", filed on August 31, 2022.

The Order being appealed thereto and the attached email of the Hon. Ashby R. Pritchett, Clerk directly interpreting Judge Greer's order (since Judge Greer refuses to go into details of what exact four pending motions he denied, the Court

of Appeals of Virginia can order Judge Greer to clarify what exact four pending motions was denied in the appealed order. The two motions will be highlighted as to what was denied in this order.

There are no transcripts as there was no hearing over the denial of that motion. Also entitled “defendant's Motion for Judgment of Acquittal”.

Defendant/Appellant is also preserving all issues for appeal from all of the foregoing motions which were denied.

PRESERVATION OF ISSUES FOR APPEAL RAISED IN MOTIONS AND PRESERVATION OF ISSUES OF JUDGE GREER’S ORDER AND IGNORING OF EVIDENCE, IGNORING OF WITNESSES, REFUSAL TO ALLOW THE COMMONWEALTH ATTORNEY TO RESPOND

However, Defendant made it clear in both of the most recent motions for new trial or judgment of acquittal that ignoring the evidence and ignoring the case law authorities was violating due process of law under the Fourteenth Amendment of the U.S. Constitution and the Constitution of Virginia, Article I., Section 8. Criminal prosecutions, and Section 11. Due process of law; obligation of contracts; taking or damaging of private property; prohibited discrimination; jury trial in civil cases. The judge filed his final order denying it all quickly without even requesting a response from the Commonwealth’s Attorney. Even federal Judge Thomas David Schroeder from the Middle District of North Carolina, as harsh and non-empathetic as he was, even he allowed the U.S. Attorney in almost all cases to respond to

Defendant's motions at least most of the time if not almost all cases of the federal case. Hon. Judge Giles Carter Greer didn't give the Commonwealth Attorney any order or time to respond to the new evidence, the case law authorities including the Tweet Standard and Odum standard. It is a slap in the face to rule no jurisdiction when the Supreme Court of Virginia had ruled countless times that submitting new admissible evidence which could not have been secured at the losing jury trial warrants new trials which further warrant reopening a closed criminal case conviction upon following the standards set by the Supreme Court of Virginia. New trials are possible when a defendant had not even plead guilty, and provides new evidence which follows the standards set by the Supreme Court of Virginia.

Since this Judge ignored the evidence, didn't even apply the standards of the Supreme Court of Virginia under Commonwealth v. Tweed, 264 Va. 524, 570 S.E.2d 797 (Va. 2002), (the "Tweed standard"), and *Odum v. Commonwealth*, 225 Va. 123, 301 S.E.2d 145 (Va. 1983), (the "Odum standard").

This Court did have jurisdiction for defendants who did not plead guilty but simply entered an Alford Plea or no guilty plea at all. Even new evidence warrants a new trial for those who were convicted if the evidence can change the outcome at a jury trial after the admissibility of new evidence is accepted and couldn't have been secured at the first trial where a defendant was convicted. Defendant is not wasting this Court's time when he has the case law showing that he is entitled to a

new trial if not a judgment of acquittal. He had disproven the elements of guilt and never entered a guilty plea agreement. He is still entitled to his rights and the burden of proof by Defendant disproving the elements of guilt had proven that Brian David Hill is in fact not guilty and should not have even been convicted. This is wrong, and this Court created a fundamental miscarriage of justice. Injustice, a fraud on the court, a fraud on the record, a fraud of facts, factual fraud. Whatever you wish to call it, this is fraud to convict an innocent man. It is fraud in the face of a justifiable evidence proving that the elements of guilt were incorrect and fraudulent. When facts of guilt are false, there is no guilt and conviction must be annulled, that is the matter of facts and is a matter of law. A court cannot sustain a non-factual judgment based on falsities, based on false facts by a corrupt prosecutor.

Defendant has no choice but to request appeal of Judge Greer's final order. This cannot be acceptable to ignore case law authorities of the Supreme Court of Virginia, not even holding an evidentiary hearing.

Here are the facts and issues Defendant is preserving for appeal which were not already addressed in the denied motions:

1. Judge Greer did not hold an evidentiary hearing on both motions asking for new trial or judgment of acquittal. He did not address the issues raised by Commonwealth v. Tweed, 264 Va. 524, 570 S.E.2d 797 (Va.

2002), and *Odum v. Commonwealth*, 225 Va. 123, 301 S.E.2d 145 (Va. 1983). These standards are the law as set by the Supreme Court of Virginia and they were ignored by Judge Greer.

2. Judge Greer ignored all evidence and did not apply the standards necessary for asking a Circuit Court for a new trial by jury, pursuant to the standards set out by Commonwealth v. Tweed, 264 Va. 524, 570 S.E.2d 797 (Va. 2002), and *Odum v. Commonwealth*, 225 Va. 123, 301 S.E.2d 145 (Va. 1983).

3. Judge Greer continues asserting that he has no jurisdiction when he honestly cannot expect somebody to come up with new evidence (newly discovered evidence, evidence not previously admissible aka could not have been secured at trial) within 21 days after a final conviction or final judgment. New evidence 99% of the time if 100% cannot be produced or obtained 21 days after the final judgment or final conviction of a Court. Courts in any other State or Federal Courts have standards for giving a defendant a new trial by jury upon new evidence. Judge Greer's final order makes no sense, he acts like new evidence will never suffice and that his word is always final, that new evidence does not matter, that the standards set for new trials based on new evidence set by the Supreme Court of Virginia does not matter. We have standards set

by both the Supreme Court of the United States and by the Supreme Court of Virginia, they all have been ignored.

4. Rule 1:1 doesn't make any sense when new evidence has always overturned convictions, new evidence has always been a determining factor for requesting a new trial by jury in any Court of Law. No determination was even made, just denying those motions without a memorandum opinion explaining how the Odum standard and tweed standards do not apply somehow to Defendant's request for a new trial or judgment of acquittal.

5. New evidence if it disproves at least one element of guilt, one element of the entire criminal prosecution, for a defendant who has never plead guilty, Judge Greer knows Defendant never plead guilty, new evidence should always set aside or vacate a judgment of guilt aka a criminal conviction. Defendant's evidence may have disproven three elements of the crime, strong enough where a conviction should not have even existed. Defendant shouldn't have to pay legal fees for a crime he is innocent of, this is a travesty of justice. Miscarriage of justice.

6. Defendant even brought evidence of a suspect, named JaCody Cassell of a business known as The Chimney Sweep from Rocky Mount, Virginia, Franklin County of this Commonwealth. This suspect was

never questioned by Judge Greer, was never questioned by Martinsville Police, and was never questioned by the State Police. There had been no hearing in regards to this suspect who allegedly poisoned Brian David Hill, Defendant, and his mother Roberta Hill with carbon monoxide gas. That should be important, the one who came forth in response to Brian David Hill's complaint filed on May 17, 2022, and denied everything while he was proven to have lied in his denials because of the signed check of JaCody Cassell released by TRUIST Bank (formerly SunTrust Bank), lying to the Attorney General's office of Dispute Resolution Unit. That witness was ignored by Judge Greer, the proven lies, lies of JaCody Cassell the suspect, all of it was ignored by Judge Greer.

7. Even if scant evidence of proving carbon monoxide gas exposure (long term) and poisoning cannot establish evidence of involuntary intoxication because of cover up of laboratory tests ordered by Sovah Health Martinsville local hospital, Defendant was still not medically and psychologically cleared which disproves the main element of guilt, that culpability cannot be established without proving that the person had no drugs in his body when normally drug tests and alcohol tests are conducted of a criminal suspect. Even the officer Robert Jones

of Martinsville Police who charged Defendant admitted under oath that lab tests are normally done but he didn't have that.

8. Judge Greer never held any evidentiary hearing for any of the motions for judgment of acquittal. Not the one filed on August 31, 2022 about disproving the Commonwealth Attorney's elements of the original criminal charge and prosecution. Didn't hold an evidentiary hearing over suspect JaCody Cassell or his company The Chimney Sweep employee who allegedly poisoned Brian David Hill with carbon monoxide gas filed on September 6, 2022, and not the earlier new trial or judgment of acquittal motions. None of them were ever held to an evidentiary hearing and no briefing orders ever entered, no orders requesting a response from Glen Andrew Hall, Esq. the corrupt Commonwealth of Virginia.

9. The judge never examined the legal standards for new trial and never determined if those standards ever applied to any of Defendant's motions for new trial and Defendant's motions for judgment of acquittal. Never accepted Defendant asserting Virginia Rules of the Sup. Ct. 3A:15 which is a valid rule. He acts like Defendant had waived every right and is barred from any and every remedy. That doesn't make any sense. None of it makes any sense. Even people who plead guilty can ask for a new trial upon new evidence disproving guilt. Even the organization of The

Innocence Project had proven in Courts all over America that innocent men and women plead guilty to crimes they are not guilty of. Defendant never plead guilty, he only withdrawn appeal. He is being treated worse than somebody who pleads guilty. He is being treated worse than somebody entering an Alford plea. New evidence does not get barred by an earlier judgment. Criminal courts all over America allow final judgments to be disturbed when new evidence is brought to the table and examined by the prosecution.

10. Because new evidence was ignored, case law was ignored, common sense was ignored, the Defendant preserves these issues for appeal and documents them here in this NOTICE OF APPEAL.

11. Because an evidentiary hearing was avoided and ignored, the Defendant preserves these issues for appeal and documents them here in this NOTICE OF APPEAL. The Judge also did not subpoena the witnesses like Dr. Brant Hinchman and JaCody Cassell of The Chimney Sweep. He clearly could have ascertained that the witness to support Defendant's motion for new trial or judgment of acquittal filed on September 31, 2022 was Dr. Brant Hinchman on not factually completing all medical checks while falsely having Officer Robert Jones of Martinsville Police Department declaring that Brian David Hill was

medically and psychologically cleared. NO HE WASN'T MEDICALLY CLEARED. JaCody Cassell clearly could have been subpoenaed and compelled by the Court to testify as a witness to bring resolution to the motion asking for new trial to determine if all criteria standards was met as set by the Supreme Court of Virginia regarding motions for new trial based on new evidence which could not have been previously secured at trial.

12. Because new witness material to the guilt or innocence of Brian David Hill, material to poisoning of Brian David Hill with carbon monoxide gas poisoning, was all entirely ignored, the Defendant preserves these issues for appeal and documents them here in this NOTICE OF APPEAL.

13. The Defendant asserts in this NOTICE OF APPEAL that all issues previously preserved for appeal in the foregoing denied motions in the FINAL ORDER, be preserved further for the decision to be appealable.

14. The new issues preserved for appeal after the wrongful denial of motions is what Defendant is raising regarding the Judge ignoring all evidence, refusing an evidentiary hearing, refusing to apply any legal standards set by the Court of Appeals of Virginia and Supreme Court of

Virginia, the Defendant preserves these issues for appeal and documents them here in this NOTICE OF APPEAL.

15. The Defendant was entitled to a response from the Commonwealth Attorney Glen Andrew Hall. He violated court orders and got away with it without ever being charged with CONTEMPT OF COURT. He got away with destroying evidence and then gets away with Brian Hill not being medically cleared because ordered lab tests, lab examinations, were deleted from the chart. A cover up, no medical clearing is possible without the ordered lab tests. This is ridiculous.

16. The Defendant had brought forth clear and convincing evidence that disproves the elements of the alleged guilt charged on September 21, 2018. No evidentiary hearing, no response ordered from the Commonwealth Attorney, the Defendant preserves these issues for appeal and documents them here in this NOTICE OF APPEAL.

17. Last but not least, the Defendant made the effort as a nice guy, as a team player, to request a response from Glen Andrew Hall, the Commonwealth Attorney regarding the last two motions for new trial or judgment of acquittal. Based on JaCody Cassell the suspect and the evidence Defendant was not medically cleared. How could he be when lab tests were ordered around the time of his arrest or detainment then

deleted from the chart then was arrested without explanation why the lab tests ordered were to be deleted from the medical chart?????? Judge Greer never wanted a response from the other side, acts as though Defendant must be deprived of every constitutional right under the color of law, in sheer violation of 18 U.S. Code § 242 - Deprivation of rights under color of law. Defendant sits on a criminal record for a crime he is proven not guilty of, and the Judge just ignored everything and denied everything. Ignored the rules of the Supreme Court of Virginia, ignored the new evidence, ignored Virginia Code, and ignored everything. The Defendant preserves these issues for appeal and documents them here in this NOTICE OF APPEAL.

This appeal is being filed in good faith as it doesn't make sense for a Court to punish a criminal Defendant who has disproven multiple elements of the charged crime, shown that he may have multiple defenses to his criminal charge, but instead it is all ignored and they pushed to have his Federal Supervised Release revoked in 2019 and have Defendant pay legal fees but not give him the Due Process legal right under the U.S. Constitution and Virginia Constitution to challenge the wrongful conviction based on newly admissible evidence that wasn't admissible in 2019 at the time Defendant had withdrawn his appeal. None of this makes any sense. Even people who plead guilty can have it overturned on new evidence if it is

strong enough on a factual basis, not just simply a reasonable doubt but factual evidence. No guilty plea was entered, Judge Greer knows that. None of this is right, none of this is moral. This is a complete miscarriage of justice without a doubt against an innocent man. This is NOT MORAL, This is not the way criminal defendants should be treated in any court of law.

Respectfully submitted with the Court, This the 19th day of September, 2022.

Brian D. Hill
Signed
Brian D. Hill

Brian D. Hill
Defendant
Former news reporter of U.S.W.G.O. Alternative News
Ally of Q
310 Forest Street, Apartment 2
Martinsville, Virginia 24112
(276) 790-3505
JusticeForUSWGO.NL or JusticeForUSWGO.wordpress.com

CERTIFICATE OF SERVICE, CERTIFICATE OF FILING

I hereby certify that a true and accurate copy of the foregoing NOTICE OF APPEAL was faxed or emailed/transmitted by my Assistant Roberta Hill at rbhill67@comcast.net (due to Probation Conditions of not being allowed to use the Internet) or delivered this 4th day of September, 2022, to the following parties:

The undersigned certifies as follows:

1. The name and address of the Appellant is:
   Brian David Hill – Ally of Q and Attorney Lin Wood
   Family/Friend site: JusticeForUSWGO.wordpress.com or JusticeForUSWGO.NL
   310 Forest Street, Apartment 2
   Martinsville, Virginia 24112

2. Appellant is not represented by counsel at this time.

3. The names of Appellees is:
   Commonwealth of Virginia
   City of Martinsville

4. The name, address, and telephone number of counsel for appellees' is:
   G. Andrew Hall
   Martinsville Commonwealth's Attorney
   55 W. Church Street
   Martinsville, VA 24112
   (276) 403-5470

5. A copy of this Notice of Appeal has been electronically transmitted by Roberta Hill (electronic filing representative) via email to the Martinsville Circuit Court Clerk's Office, to opposing counsel, and electronically filed by Roberta Hill (electronic filing representative) through the Court's VACES system to the Clerk of the Court of Appeals of Virginia, all on September 19, 2022.

The following parties with fax numbers and email addresses of the parties are listed herein:

Glen Andrew Hall, Esq. Commonwealth Attorney's Office for the City of Martinsville 55 West Church Street P.O. Box 1311 Martinsville, Virginia 24114/24112	Hon. Ashby R. Pritchett, Clerk of the Court Circuit Court for the City of Martinsville Phone: 276-403-5106 Fax: 276-403-5232

Attorney for the Commonwealth Phone: (276) 403-5470 Fax: (276) 403-5478 Email: ahall@ci.martinsville.va.us	55 West Church Street, Room 205 P.O. Box 1206 Martinsville, VA 24114 Email: apritchett@vacourts.gov

The reason why Brian David Hill must use such a representative to serve such pleading with the Clerk on his behalf is because Brian is currently still under the conditions of Supervised Release for the U.S. District Court barring internet usage without permission. Brian's Probation Officer is aware of Roberta Hill using her email for conducting court business concerning Brian Hill or court business with the Probation Office in regards to Brian David Hill. Therefore Roberta Hill is filing the pleading on Brian's behalf for official court business. Brian has authorized her to file the pleading. All exhibits or any exhibits with anything printed from any internet based service was printed and researched by Roberta Hill.

That should satisfy the Certificate of Service regarding letters/pleadings. If the Court wishes to contact the filer over any issues or concerns, please feel free to contact the filer Brian David Hill directly by telephone or by mailing. They can also contact c / o Roberta Hill at rbhill67@comcast.net and request that she forward the message and any documents or attachments to Brian David Hill to view offline for his review.

Brian D. Hill
Signed

Brian D. Hill

Brian D. Hill
Defendant
Former news reporter of U.S.W.G.O. Alternative News
Ally of Q
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Martinsville, Virginia 24112
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INDEX FOR COURT OF APPEALS OF VIRGINIA

1. ORDER from Hon. Giles Carter Greer (Judge), dated September 7, 2022

2. INTERPRETATION OF ORDER from Hon. Ashby R. Pritchett (Clerk) dated September 13, 2022 (Printed email from Clerk)

VIRGINIA: IN THE CIRCUIT COURT FOR THE CITY OF MARTINSVILLE

COMMONWEALTH OF VIRGINIA

v.

ORDER
Case No. CR19000009-00

BRIAN DAVID HILL

UPON CONSIDERATION of the defendant's Motion for Judgment of Acquittal or New Trial, it is ORDERED that said motion is hereby DENIED on the ground of lack of jurisdiction.

ENTER: This 7th day of September, 2022.

Judge

Endorsement is dispensed with – Rule 1:13

TWENTY-FIRST
JUDICIAL CIRCUIT
OF VIRGINIA

Subject: RE: Judge Greer's order
From: Ashby Pritchett <apritchett@vacourts.gov>
Date: 9/13/2022, 10:47 AM
To: Roberta Hill <rbhill67@justiceforuswgo.nl>

Mrs. Hill,

Terry from my Office will be sending you a copy of Judge Greer's order, and copies of the amended Table of contents of the Motions filed by Brian with the Court of Appeals.

Judge Greer's Order denying Brian's motions doesn't end Brian's case with the Court of Appeals. Judge Greer's Order only declares that the Martinsville Circuit Court doesn't have jurisdiction (power to act) on Brian's motions. Everything Brian has filed has been sent to the Virginia Court of Appeals, who will make the judicial decision on his motions.

Ashby Pritchett, Clerk
Martinsville Circuit Court

Judge

From: Roberta Hill <rbhill67@justiceforuswgo.nl>
Sent: Monday, September 12, 2022 3:57 PM
To: Ashby Pritchett <apritchett@vacourts.gov>; Hon. Ashby R. Pritchett, Clerk of the Court <APritchett@courts.state.va.us>
Subject: Judge Greer's order
Importance: High

EXTERNAL EMAIL

THIS MESSAGE ORIGINATED FROM AN EXTERNAL ADDRESS. USE CAUTION CLICKING ON ANY LINKS OR DOWNLOADING ANY ATTACHMENTS

Martinsville Circuit Court (details)

Subscribe

Case #: **CR19000009-00** Defendant: **HILL, BRIAN DAVID**

Pleadings/Orders

Seq. #	Date	Type	Party	Judge	Book & Page	Instrument	Remarks
158	09/08/2022	OTHER	TTM				TABLE OF CONTENTS-APPEALED
157	09/08/2022	OTHER	TTM				DIGITAL APPELATE REC SUBMT
156	09/07/2022	FINAL ORDER	ARP				DENY MOTION LACK JURISDICT
155	09/06/2022	MOTION	ARP				MJ NEW EVID J CASSELL
154	09/06/2022	MOTION	ARP				REQUEST CA RESPOND TO MJ
153	08/31/2022	OTHER	ARP				LITIGATION HOLD LETTER
152	08/31/2022	MOTION	ARP				JUDGMT OR ACQUITTAL OR TRL

Hon. Ashby Pritchett,

It said on Virginia's OCIS system that my son Brian David Hill's motion or last two motions for judgment of acquittal and possibly the motions asking for the Commonwealth's response were denied on September 7, 2022. Assuming that is what the order was about. The OCIS system said that order was dated as to being Wednesday of last week, but my son checked the mail today and still has not received Judge Greer's order. He received your transmittal document paper mailed on the 9th of September but has not received a copy of Judge Greer's order.

He needs the order to understand what he should put in his notice of appeal he plans on filing.

I tried to send this message through xFinity but it is not working at the moment, so I am sending this message through my alternate email.

Please send a copy of the order for my son to review or he can call your office to arrange faxing it to him.

3513

Thanks,
Roberta Hill

Received On 9/19/2022 By User: apritchett Circuit Court Clerk's Office Martinsville, VA Ashby R. Pritchett, Clerk

*To be supplied by the Clerk

Record #	BRIAN DAVID HILL v. COMMONWEALTH OF VIRGINIA, et al.

AFFIDAVIT OF INDIGENCE

NAME: Brian David Hill

ADDRESS: 310 Forest Street, Apt. 2, Martinsville, VA 24112

OCCUPATION: Disabled, Permanently disabled, handicapped

HOUSEHOLD SIZE (TOTAL NUMBER OF PERSONS RESIDING IN THE HOME THAT YOU HAVE FINANCIAL RESPONSIBILITY FOR, INCLUDING YOURSELF): 1 Person in Apartment 2

NET MONTHLY INCOME: $841.00, SSI Disability 42 U.S.C. §407 protected, from U.S. Treasury

NET MONTHLY INCOME OF SPOUSE: N\A

NET MONTHLY INCOME OF EMPLOYED DEPENDENTS: N\A

AMOUNT ON DEPOSIT IN BANKS: $55.91 at the time of this Affidavit/Declaration

VALUE OF EQUITY IN REAL ESTATE: Own no Real Estate, pay $500 monthly rent

INCOME PRODUCED BY REAL ESTATE: N\A

OTHER INCOME: Only SSI is my approved income by the Federal Government

VALUE OF PERSONAL PROPERTY: Used furniture and hygiene products, not much for used items. The furniture is rented and part of the Apartment being rented.

MAKE, MODEL, AND YEAR OF CARS OWNED: Own no cars

VALUE OF INTEREST IN OTHER PROPERTY: Own no land, own no cars, own no property

APPROXIMATE INDEBTEDNESS:	AMOUNT	LENDER
Circuit Court of Martinsville	$1,224, likely more but I don't know what total legal debt is.	Legal Costs

NOTE:
I usually use up my entire monthly SSI money on things I need like paying any monthly bills such as Rent, hygiene products, legal or mailing expenses, things to deal with my anxiety and stress as I have Generalized Anxiety Disorder as documented in Fed. Court, and any other needs/necessities.

I declare under penalty of perjury that the foregoing is true and correct.

I hereby certify that the foregoing information is accurate to the best of my knowledge.

Executed on September 19, 2022.

Brian D. Hill
Signed

Signature of Petitioner **Brian D. Hill**

310 Forest Street, Apt. 2
Martinsville, Virginia 24112
(276) 790-3505
Filing Assistant:
Roberta Hill
rbhill67@comcast.net

Certificate of Service

I hereby certify that a true and exact copy of the foregoing affidavit was transmitted by fax/facsimile and by Roberta Hill using email rbhill67@justiceforuswgo.nl/rbhill67@comcast.net, on the following counsel for Appellee's: (1) City of Martinsville and (2) Commonwealth of Virginia:

Martinsville Commonwealth's Attorney
Office 55 W Church St
PO Box 1311
Martinsville, VA 24114
ahall@ci.martinsville.va.us

Attorney General of Virginia
202 North Ninth Street
Richmond, VA 23219
oagcriminallitigation@oag.state.va.us

on the 19th day of September, 2022
(date) (month)

I hereby certify that the foregoing Affidavit/Declaration was filed by Assistant/Representative Roberta Hill through rbhill67@justiceforuswgo.nl/rbhill67@comcast.net through Virginia Court eFiling System (VACES) with the Clerk of the Court of Appeals of Virginia due to the compliance with the Supervised Release conditions of Appellant:

Brian D. Hill
Signed

Signature of Petitioner **Brian D. Hill**

310 Forest Street, Apt. 2
Martinsville, Virginia 24112
(276) 790-3505
Filing Assistant:
Roberta Hill
rbhill67@comcast.net

Received On 9/19/2022 By User: apritchett Circuit Court Clerk's Office Martinsville, VA Ashby R. Pritchett, Clerk

VIRGINIA: IN THE CIRCUIT COURT FOR THE CITY OF MARTINSVILLE

COMMONWEALTH OF VIRGINIA, CITY OF MARTINSVILLE, PLAINTIFF(s),	)	CASE NO: CR19000009-00
v.	)	NOTICE OF APPEAL (2)
BRIAN DAVID HILL, DEFENDANT.	)	

NOTICE OF APPEAL (2)

Respectfully submitted with the Court,

This the 19th day of September, 2022.

Brian D. Hill
Signed

Brian D. Hill

Brian D. Hill
Defendant
Former news reporter of U.S.W.G.O. Alternative News
Ally of Q
310 Forest Street, Apartment 2
Martinsville, Virginia 24112
(276) 790-3505

JusticeForUSWGO.NL or JusticeForUSWGO.wordpress.com

COVER PAGE

SUMMARY

Brian David Hill, criminal case Defendant, and Appellant, pro se, hereby appeals to the Court of Appeals of Virginia from the final judgment of this Court by final order entered September 13, 2022 (attached thereto), denying Brian Hill's entitled:

1. Motion entitled: "MOTION REQUESTING COMMONWEALTH ATTORNEY RESPOND TO MOTION FOR JUDGMENT OF ACQUITTAL OR NEW TRIAL PURSUANT TO RULE 3A:15 BASED UPON NEW EVIDENCE OF SUSPECT JACODY CASSELL OF BUSINESS ENTITY: THE CHIMNEY SWEEP WHO CAUSED CARBON MONOXIDE POISONING INTOXICATION OF CRIMINAL DEFENDANT WARRANTING NEW TRIAL OR ACQUITTAL", filed on September 6, 2022.

2. Motion entitled: "MOTION REQUESTING COMMONWEALTH ATTORNEY RESPOND TO MOTION FOR JUDGMENT OF ACQUITTAL OR NEW TRIAL PURSUANT TO RULE 3A:15 BASED UPON NEW EVIDENCE WHICH DISPROVES THE ELEMENTS OF CHARGED CRIME BY PROSECUTION, EVIDENCE WARRANTING NEW TRIAL OR ACQUITTAL", filed on August 29, 2022.

The Order being appealed thereto and the attached email of the Hon. Ashby R. Pritchett, Clerk directly interpreting Judge Greer's order (since Judge Greer refuses to go into details of what exact four pending motions he denied, the Court of Appeals of Virginia can order Judge Greer to clarify what exact four pending motions was denied in the appealed order. The two motions will be highlighted as to what was denied in this order.

There are no transcripts as there was no hearing over the denial of that motion. Also entitled "defendant's Motion for Judgment of Acquittal".

Defendant/Appellant is also preserving all issues for appeal from all of the foregoing motions which were denied.

PRESERVATION OF ISSUES FOR APPEAL RAISED IN MOTIONS AND PRESERVATION OF ISSUES OF JUDGE GREER'S ORDER AND IGNORING OF EVIDENCE, IGNORING OF WITNESSES, REFUSAL TO ALLOW THE COMMONWEALTH ATTORNEY TO RESPOND

However, Defendant made it clear in both of the most recent motions for new trial or judgment of acquittal that ignoring the evidence and ignoring the case law authorities was violating due process of law under the Fourteenth Amendment of the U.S. Constitution and the Constitution of Virginia, Article I., Section 8. Criminal prosecutions, and Section 11. Due process of law; obligation of contracts; taking or damaging of private property; prohibited discrimination; jury trial in civil cases. The judge filed his final order denying it all quickly without even requesting

a response from the Commonwealth's Attorney. Even federal Judge Thomas David Schroeder from the Middle District of North Carolina, as harsh and non-empathetic as he was, even he allowed the U.S. Attorney in almost all cases to respond to Defendant's motions at least most of the time if not almost all cases of the federal case. Hon. Judge Giles Carter Greer didn't give the Commonwealth Attorney any order or time to respond to the new evidence, the case law authorities including the Tweet Standard and Odum standard. It is a slap in the face to rule no jurisdiction when the Supreme Court of Virginia had ruled countless times that submitting new admissible evidence which could not have been secured at the losing jury trial warrants new trials which further warrant reopening a closed criminal case conviction upon following the standards set by the Supreme Court of Virginia. New trials are possible when a defendant had not even plead guilty, and provides new evidence which follows the standards set by the Supreme Court of Virginia.

Since this Judge ignored the evidence, didn't even apply the standards of the Supreme Court of Virginia under Commonwealth v. Tweed, 264 Va. 524, 570 S.E.2d 797 (Va. 2002), (the "Tweed standard"), and *Odum v. Commonwealth*, 225 Va. 123, 301 S.E.2d 145 (Va. 1983), (the "Odum standard").

This Court did have jurisdiction for defendants who did not plead guilty but simply entered an Alford Plea or no guilty plea at all. Even new evidence warrants a new trial for those who were convicted if the evidence can change the outcome at

a jury trial after the admissibility of new evidence is accepted and couldn't have been secured at the first trial where a defendant was convicted. Defendant is not wasting this Court's time when he has the case law showing that he is entitled to a new trial if not a judgment of acquittal. He had disproven the elements of guilt and never entered a guilty plea agreement. He is still entitled to his rights and the burden of proof by Defendant disproving the elements of guilt had proven that Brian David Hill is in fact not guilty and should not have even been convicted. This is wrong, and this Court created a fundamental miscarriage of justice. Injustice, a fraud on the court, a fraud on the record, a fraud of facts, factual fraud. Whatever you wish to call it, this is fraud to convict an innocent man. It is fraud in the face of a justifiable evidence proving that the elements of guilt were incorrect and fraudulent. When facts of guilt are false, there is no guilt and conviction must be annulled, that is the matter of facts and is a matter of law. A court cannot sustain a non-factual judgment based on falsities, based on false facts by a corrupt prosecutor.

Defendant has no choice but to request appeal of Judge Greer's final order. This cannot be acceptable to ignore case law authorities of the Supreme Court of Virginia, not even holding an evidentiary hearing.

Here are the facts and issues Defendant is preserving for appeal which were not already addressed in the denied motions:

1. Judge Greer did not hold an evidentiary hearing on both motions asking for new trial or judgment of acquittal. He did not address the issues raised by Commonwealth v. Tweed, 264 Va. 524, 570 S.E.2d 797 (Va. 2002), and *Odum v. Commonwealth*, 225 Va. 123, 301 S.E.2d 145 (Va. 1983). These standards are the law as set by the Supreme Court of Virginia and they were ignored by Judge Greer.

2. Judge Greer ignored all evidence and did not apply the standards necessary for asking a Circuit Court for a new trial by jury, pursuant to the standards set out by Commonwealth v. Tweed, 264 Va. 524, 570 S.E.2d 797 (Va. 2002), and *Odum v. Commonwealth*, 225 Va. 123, 301 S.E.2d 145 (Va. 1983).

3. Judge Greer continues asserting that he has no jurisdiction when he honestly cannot expect somebody to come up with new evidence (newly discovered evidence, evidence not previously admissible aka could not have been secured at trial) within 21 days after a final conviction or final judgment. New evidence 99% of the time if 100% cannot be produced or obtained 21 days after the final judgment or final conviction of a Court. Courts in any other State or Federal Courts have standards for giving a defendant a new trial by jury upon new evidence. Judge Greer's final order makes no sense, he acts like new evidence will

never suffice and that his word is always final, that new evidence does not matter, that the standards set for new trials based on new evidence set by the Supreme Court of Virginia does not matter. We have standards set by both the Supreme Court of the United States and by the Supreme Court of Virginia, they all have been ignored.

4. Rule 1:1 doesn't make any sense when new evidence has always overturned convictions, new evidence has always been a determining factor for requesting a new trial by jury in any Court of Law. No determination was even made, just denying those motions without a memorandum opinion explaining how the Odum standard and tweed standards do not apply somehow to Defendant's request for a new trial or judgment of acquittal.

5. New evidence if it disproves at least one element of guilt, one element of the entire criminal prosecution, for a defendant who has never plead guilty, Judge Greer knows Defendant never plead guilty, new evidence should always set aside or vacate a judgment of guilt aka a criminal conviction. Defendant's evidence may have disproven three elements of the crime, strong enough where a conviction should not have even existed. Defendant shouldn't have to pay legal fees for a crime he is innocent of, this is a travesty of justice. Miscarriage of justice.

6. Defendant even brought evidence of a suspect, named JaCody Cassell of a business known as The Chimney Sweep from Rocky Mount, Virginia, Franklin County of this Commonwealth. This suspect was never questioned by Judge Greer, was never questioned by Martinsville Police, and was never questioned by the State Police. There had been no hearing in regards to this suspect who allegedly poisoned Brian David Hill, Defendant, and his mother Roberta Hill with carbon monoxide gas. That should be important, the one who came forth in response to Brian David Hill's complaint filed on May 17, 2022, and denied everything while he was proven to have lied in his denials because of the signed check of JaCody Cassell released by TRUIST Bank (formerly SunTrust Bank), lying to the Attorney General's office of Dispute Resolution Unit. That witness was ignored by Judge Greer, the proven lies, lies of JaCody Cassell the suspect, all of it was ignored by Judge Greer.

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person had no drugs in his body when normally drug tests and alcohol tests are conducted of a criminal suspect. Even the officer Robert Jones of Martinsville Police who charged Defendant admitted under oath that lab tests are normally done but he didn't have that.

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9. The judge never examined the legal standards for new trial and never determined if those standards ever applied to any of Defendant's motions for new trial and Defendant's motions for judgment of acquittal. Never accepted Defendant asserting Virginia Rules of the Sup. Ct. 3A:15 which is a valid rule. He acts like Defendant had waived every right and is barred from any and every remedy. That doesn't make any sense. None

of it makes any sense. Even people who plead guilty can ask for a new trial upon new evidence disproving guilt. Even the organization of The Innocence Project had proven in Courts all over America that innocent men and women plead guilty to crimes they are not guilty of. Defendant never plead guilty, he only withdrawn appeal. He is being treated worse than somebody who pleads guilty. He is being treated worse than somebody entering an Alford plea. New evidence does not get barred by an earlier judgment. Criminal courts all over America allow final judgments to be disturbed when new evidence is brought to the table and examined by the prosecution.

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11. Because an evidentiary hearing was avoided and ignored, the Defendant preserves these issues for appeal and documents them here in this NOTICE OF APPEAL. The Judge also did not subpoena the witnesses like Dr. Brant Hinchman and JaCody Cassell of The Chimney Sweep. He clearly could have ascertained that the witness to support Defendant's motion for new trial or judgment of acquittal filed on September 31, 2022 was Dr. Brant Hinchman on not factually completing

all medical checks while falsely having Officer Robert Jones of Martinsville Police Department declaring that Brian David Hill was medically and psychologically cleared. NO HE WASN'T MEDICALLY CLEARED. JaCody Cassell clearly could have been subpoenaed and compelled by the Court to testify as a witness to bring resolution to the motion asking for new trial to determine if all criteria standards was met as set by the Supreme Court of Virginia regarding motions for new trial based on new evidence which could not have been previously secured at trial.

12. Because new witness material to the guilt or innocence of Brian David Hill, material to poisoning of Brian David Hill with carbon monoxide gas poisoning, was all entirely ignored, the Defendant preserves these issues for appeal and documents them here in this NOTICE OF APPEAL.

13. The Defendant asserts in this NOTICE OF APPEAL that all issues previously preserved for appeal in the foregoing denied motions in the FINAL ORDER, be preserved further for the decision to be appealable.

14. The new issues preserved for appeal after the wrongful denial of motions is what Defendant is raising regarding the Judge ignoring all

evidence, refusing an evidentiary hearing, refusing to apply any legal standards set by the Court of Appeals of Virginia and Supreme Court of Virginia, the Defendant preserves these issues for appeal and documents them here in this NOTICE OF APPEAL.

15. The Defendant was entitled to a response from the Commonwealth Attorney Glen Andrew Hall. He violated court orders and got away with it without ever being charged with CONTEMPT OF COURT. He got away with destroying evidence and then gets away with Brian Hill not being medically cleared because ordered lab tests, lab examinations, were deleted from the chart. A cover up, no medical clearing is possible without the ordered lab tests. This is ridiculous.

16. The Defendant had brought forth clear and convincing evidence that disproves the elements of the alleged guilt charged on September 21, 2018. No evidentiary hearing, no response ordered from the Commonwealth Attorney, the Defendant preserves these issues for appeal and documents them here in this NOTICE OF APPEAL.

17. Last but not least, the Defendant made the effort as a nice guy, as a team player, to request a response from Glen Andrew Hall, the Commonwealth Attorney regarding the last two motions for new trial or judgment of acquittal. Based on JaCody Cassell the suspect and the

evidence Defendant was not medically cleared. How could he be when lab tests were ordered around the time of his arrest or detainment then deleted from the chart then was arrested without explanation why the lab tests ordered were to be deleted from the medical chart?????? Judge Greer never wanted a response from the other side, acts as though Defendant must be deprived of every constitutional right under the color of law, in sheer violation of 18 U.S. Code § 242 - Deprivation of rights under color of law. Defendant sits on a criminal record for a crime he is proven not guilty of, and the Judge just ignored everything and denied everything. Ignored the rules of the Supreme Court of Virginia, ignored the new evidence, ignored Virginia Code, and ignored everything. The Defendant preserves these issues for appeal and documents them here in this NOTICE OF APPEAL.

This appeal is being filed in good faith as it doesn't make sense for a Court to punish a criminal Defendant who has disproven multiple elements of the charged crime, shown that he may have multiple defenses to his criminal charge, but instead it is all ignored and they pushed to have his Federal Supervised Release revoked in 2019 and have Defendant pay legal fees but not give him the Due Process legal right under the U.S. Constitution and Virginia Constitution to challenge the wrongful conviction based on newly admissible evidence that wasn't admissible in

2019 at the time Defendant had withdrawn his appeal. None of this makes any sense. Even people who plead guilty can have it overturned on new evidence if it is strong enough on a factual basis, not just simply a reasonable doubt but factual evidence. No guilty plea was entered, Judge Greer knows that. None of this is right, none of this is moral. This is a complete miscarriage of justice without a doubt against an innocent man. This is NOT MORAL, This is not the way criminal defendants should be treated in any court of law.

Respectfully submitted with the Court, This the 19th day of September, 2022.

Brian D. Hill
Signed
Brian D. Hill

Brian D. Hill
Defendant
Former news reporter of U.S.W.G.O. Alternative News
Ally of Q
310 Forest Street, Apartment 2
Martinsville, Virginia 24112
(276) 790-3505
JusticeForUSWGO.NL or JusticeForUSWGO.wordpress.com

CERTIFICATE OF SERVICE, CERTIFICATE OF FILING

I hereby certify that a true and accurate copy of the foregoing NOTICE OF APPEAL was faxed or emailed/transmitted by my Assistant Roberta Hill at rbhill67@comcast.net (due to Probation Conditions of not being allowed to use the Internet) or delivered this 4th day of September, 2022, to the following parties:

The undersigned certifies as follows:

1. The name and address of the Appellant is:
   Brian David Hill – Ally of Q and Attorney Lin Wood
   Family/Friend site: JusticeForUSWGO.wordpress.com or JusticeForUSWGO.NL
   310 Forest Street, Apartment 2
   Martinsville, Virginia 24112

2. Appellant is not represented by counsel at this time.

3. The names of Appellees is:
   Commonwealth of Virginia
   City of Martinsville

4. The name, address, and telephone number of counsel for appellees' is:
   G. Andrew Hall
   Martinsville Commonwealth's Attorney
   55 W. Church Street
   Martinsville, VA 24112
   (276) 403-5470

5. A copy of this Notice of Appeal has been electronically transmitted by Roberta Hill (electronic filing representative) via email to the Martinsville Circuit Court Clerk's Office, to opposing counsel, and electronically filed by Roberta Hill (electronic filing representative) through the Court's VACES system to the Clerk of the Court of Appeals of Virginia, all on September 19, 2022.

The following parties with fax numbers and email addresses of the parties are listed herein:

Glen Andrew Hall, Esq.	Hon. Ashby R. Pritchett, Clerk of the Court

Commonwealth Attorney's Office for the City of Martinsville 55 West Church Street P.O. Box 1311 Martinsville, Virginia 24114/24112 Attorney for the Commonwealth Phone: (276) 403-5470 Fax: (276) 403-5478 Email: ahall@ci.martinsville.va.us	Circuit Court for the City of Martinsville Phone: 276-403-5106 Fax: 276-403-5232 55 West Church Street, Room 205 P.O. Box 1206 Martinsville, VA 24114 Email: apritchett@vacourts.gov

The reason why Brian David Hill must use such a representative to serve such pleading with the Clerk on his behalf is because Brian is currently still under the conditions of Supervised Release for the U.S. District Court barring internet usage without permission. Brian's Probation Officer is aware of Roberta Hill using her email for conducting court business concerning Brian Hill or court business with the Probation Office in regards to Brian David Hill. Therefore Roberta Hill is filing the pleading on Brian's behalf for official court business. Brian has authorized her to file the pleading. All exhibits or any exhibits with anything printed from any internet based service was printed and researched by Roberta Hill.

That should satisfy the Certificate of Service regarding letters/pleadings. If the Court wishes to contact the filer over any issues or concerns, please feel free to contact the filer Brian David Hill directly by telephone or by mailing. They can also contact c / o Roberta Hill at rbhill67@comcast.net and request that she forward the message and any documents or attachments to Brian David Hill to view offline for his review.

Brian D. Hill
Signed

Brian D. Hill
Brian D. Hill
Defendant
Former news reporter of U.S.W.G.O. Alternative News
Ally of Q

310 Forest Street, Apartment 2
Martinsville, Virginia 24112
(276) 790-3505
JusticeForUSWGO.NL or JusticeForUSWGO.wordpress.com

INDEX FOR COURT OF APPEALS OF VIRGINIA

1. ORDER from Hon. Giles Carter Greer (Judge), dated September 13, 2022

2. INTERPRETATION OF ORDER from Hon. Ashby R. Pritchett (Clerk) dated September 13, 2022 (Printed email from Clerk)

3. Letter to Judge Greer on asking clarification on Order (Letter from Defendant/Appellant)

VIRGINIA: IN THE CIRCUIT COURT FOR THE CITY OF MARTINSVILLE

COMMONWEALTH OF VIRGINIA

v.

ORDER
Case No. CR19000009-00

BRIAN DAVID HILL

UPON CONSIDERATION of the defendant's Motion Requesting Commonwealth Attorney Respond to Motion for Judgment of Acquittal or New Trial, it is ORDERED that said motion is hereby DENIED.

ENTER: This 13th day of September, 2022.

Judge

Endorsement is dispensed with – Rule 1:13

TWENTY-FIRST
JUDICIAL CIRCUIT
OF VIRGINIA

Honorable Ashby R. Pritchett, Clerk
Martinsville Circuit Court Clerk's Office
P. O. Box 1206
Martinsville, Virginia 24114-1206

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Brian David Hill
310 Forest Street
Apartment 2
Martinsville, Virginia 24112

Received on
September 19 2022
Brian D. Hill
Signed

24112-421010

Subject: RE: Judge Greer's order
From: Ashby Pritchett <apritchett@vacourts.gov>
Date: 9/13/2022, 10:47 AM
To: Roberta Hill <rbhill67@justiceforuswgo.nl>

Mrs. Hill,

Terry from my Office will be sending you a copy of Judge Greer's order, and copies of the amended Table of contents of the Motions filed by Brian with the Court of Appeals.

Judge Greer's Order denying Brian's motions doesn't end Brian's case with the Court of Appeals. Judge Greer's Order only declares that the Martinsville Circuit Court doesn't have jurisdiction (power to act) on Brian's motions. Everything Brian has filed has been sent to the Virginia Court of Appeals, who will make the judicial decision on his motions.

Ashby Pritchett, Clerk
Martinsville Circuit Court

Judge

From: Roberta Hill <rbhill67@justiceforuswgo.nl>
Sent: Monday, September 12, 2022 3:57 PM
To: Ashby Pritchett <apritchett@vacourts.gov>; Hon. Ashby R. Pritchett, Clerk of the Court <APritchett@courts.state.va.us>
Subject: Judge Greer's order
Importance: High

EXTERNAL EMAIL

THIS MESSAGE ORIGINATED FROM AN EXTERNAL ADDRESS. USE CAUTION CLICKING ON ANY LINKS OR DOWNLOADING ANY ATTACHMENTS

Martinsville Circuit Court (details)

Subscribe

Case #: **CR19000009-00** Defendant: **HILL, BRIAN DAVID**

Pleadings/Orders

Seq. #	Date	Type	Party	Judge	Book & Page	Instrument	Remarks
158	09/08/2022	OTHER	TTM				TABLE OF CONTENTS-APPEALED
157	09/08/2022	OTHER	TTM				DIGITAL APPELATE REC SUBMT
156	09/07/2022	FINAL ORDER	ARP				DENY MOTION LACK JURISDICT
155	09/06/2022	MOTION	ARP				MJ NEW EVID J CASSELL
154	09/06/2022	MOTION	ARP				REQUEST CA RESPOND TO MJ
153	08/31/2022	OTHER	ARP				LITIGATION HOLD LETTER
152	08/31/2022	MOTION	ARP				JUDGMT OR ACQUITTAL OR TRL

Hon. Ashby Pritchett,

It said on Virginia's OCIS system that my son Brian David Hill's motion or last two motions for judgment of acquittal and possibly the motions asking for the Commonwealth's response were denied on September 7, 2022. Assuming that is what the order was about. The OCIS system said that order was dated as to being Wednesday of last week, but my son checked the mail today and still has not received Judge Greer's order. He received your transmittal document paper mailed on the 9th of September but has not received a copy of Judge Greer's order.

He needs the order to understand what he should put in his notice of appeal he plans on filing.

I tried to send this message through xFinity but it is not working at the moment, so I am sending this message through my alternate email.

Please send a copy of the order for my son to review or he can call your office to arrange faxing it to him.

3538

Thanks,
Roberta Hill

URGENT LETTER TO HON. GILES CARTER GREER ON ORDER DATED SEPTEMBER 7, 2022

Re: Case number: CR190000009, Commonwealth of Virginia and City of Martinsville v. Brian David Hill

TUESDAY, SEPTEMBER 13, 2022

ATTN: Presiding judge, Hon. Giles Carter Greer Circuit court for the City of Martinsville Email: cgreer@ci.martinsville.va.us	55 West Church Street P.O. Box 1206 Martinsville, VA 24114 Fax: 276-403-5232
ATTN: Clerk of the Court, Hon. Ashby R. Pritchett Circuit court for the City of Martinsville Email: APritchett@vacourts.gov Email: APritchett@courts.state.va.us	55 West Church Street, Room 205 P.O. Box 1206 Martinsville, VA 24114 Fax: 276-403-5232

CC: c/o Roberta Hill online filing representative serving with rbhill67@comcast.net: "Martinsville City Commonwealth's Attorney (ahall@ci.martinsville.va.us)" <ahall@ci.martinsville.va.us>

Your Honor,

Today, I am in receipt of your order dated September 7, 2022, thanks to the deputy Clerk Terry Morton. I was concerned I was not receiving a paper copy of that order.

That order, I would like to request clarification on that order or correction as to what was denied as it sounds confusing or vague to me.

That order does not specifify which recent motion was denied. There were two motions asking for new trial filed recently with different new evidence in each. One over not being medically cleared as charged. The other one over suspect JaCody Cassell for lying to a Office of Attorney General about his role in poisoning Brian David Hill, myself with carbon monoxide gas which continued until my arrest in 2018.

I would like to respectfully request that you file an amended order of which motion was denied, at least clarify which filed motion was denied.

Documents index	Date Filed	Page
MOTION - REQ CA RESPOND-M/J W/EMAIL	08/29/2022	1 - 9
MOTION - JUDGMT OR ACQUITTAL OR TRL	08/31/2022	10 – 403
MOTION - REQUEST CA RESPOND TO MJ	09/06/2022	1 - 6
MOTION - MJ NEW EVID J CASSELL	09/06/2022	7 - 730

Copied and pasted from the document given to Roberta Hill from the Deputy Clerk and given to me by Roberta Hill.

Please clarify which motion was denied as there are four motions. Two requesting that the Commonwealth Attorney respond to the new evidence filed, new evidence which the Circuit Court had not received before and the one with JaCody Cassell.

Are they all denied? If not all denied which motion or motions?

I can proceed with the NOTICE OF APPEAL but the Court of Appeals of Virginia would be confused with this order, not know which motions were denied.

Please file on the record which motion or motions your order had denied. Thanks

Thank You. Respectfully filed with the Circuit Court for the City of Martinsville, this the 13th day of September, 2022.

Brian D. Hill
Signed
Brian D. Hill

God bless you,
Brian D. Hill
Ally of Q, Former news reporter of U.S.W.G.O. Alternative News
310 Forest Street, Apartment 2
Martinsville, Virginia 24112
(276) 790-3505
JusticeForUSWGO.NL or JusticeForUSWGO.wordpress.com

CIRCUIT COURT CLERK'S OFFICE
City of Martinsville
POST OFFICE BOX 1206
MARTINSVILLE, VIRGINIA 24114-1206

ASHBY R. PRITCHETT, CLERK

November 30, 2022

Honorable A. John Vollino
Clerk, Court of Appeals
109 North 8th Street
Richmond, Virginia 23219

Dear Mr. Vollino: In Re: CR190000009-00

Enclosed is the appeal styled Commonwealth of Virginia V Brian David Hill along with the table of contents filed therein. There isn't a transcript or statement of facts that will be filed. Therefore the record is sent as is.

THIS APPEAL WAS TRANSMITTED ELECTRONICALLY.

Thank you for your attention in this matter.

Sincerely yours,

Terry T. Morton,
Certified Master Deputy Circuit Court Clerk

Ttm

Enclosures

CC: G. Andrew Hall, Commonwealth's Attorney-Appellee
Brian David Hill, Defendant-pro se-Appellant
310 Forest Street, Apartment 2
Martinsville, Virginia 24112

Received On 1/26/2023 By User: jnunn Circuit Court Clerk's Office Martinsville, VA Jean P. Nunn, Clerk

VIRGINIA: IN THE CIRCUIT COURT FOR THE CITY OF MARTINSVILLE

COMMONWEALTH OF VIRGINIA, CITY OF MARTINSVILLE, PLAINTIFF(s),	)	CASE NO: CR19000009-00
v.	)	**MOTION FOR SET ASIDE OR RELIEVE DEFENDANT OF JUDGMENT OF CONVICTION OF CRIMINAL CHARGE PURSUANT TO VIRGINIA CODE § 8.01-428(D), VIRGINIA CODE § 8.01-428(A) AND VIRGINIA CODE § 8.01-428(B) ON THE BASIS OF FRAUD UPON THE COURT, CLERICAL FACTUAL ERRORS**
BRIAN DAVID HILL, DEFENDANT.	)	

MOTION FOR SET ASIDE OR RELIEVE DEFENDANT OF JUDGMENT OF CONVICTION OF CRIMINAL CHARGE PURSUANT TO VIRGINIA CODE § 8.01-428(D), VIRGINIA CODE § 8.01-428(A) AND VIRGINIA CODE § 8.01-428(B) ON THE BASIS OF FRAUD UPON THE COURT, CLERICAL FACTUAL ERRORS

Respectfully submitted with the Court,

This the 26th day of January, 2023.

Brian D. Hill
Signed
Brian D. Hill

Brian D. Hill
Defendant
Former news reporter of U.S.W.G.O. Alternative News
Ally of Q
310 Forest Street, Apartment 2
Martinsville, Virginia 24112
(276) 790-3505

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COVER PAGE

Table of Contents

VIRGINIA: IN THE CIRCUIT COURT FOR THE CITY OF MARTINSVILLE 1

COMMONWEALTH OF VIRGINIA, ...1

MOTION FOR SET ASIDE OR RELIEVE DEFENDANT OF JUDGMENT OF CONVICTION OF CRIMINAL CHARGE PURSUANT TO VIRGINIA CODE § 8.01-428(D), VIRGINIA CODE § 8.01-428(A) AND VIRGINIA CODE § 8.01-428(B) ON THE BASIS OF FRAUD UPON THE COURT, CLERICAL FACTUAL ERRORS.....1

Table of Contents.....2

Motion/Petition to Vacate Judgment pursuant to Section 8.01-428(D), Section 8.01-428(B), and Section 8.01-428(A) 7

ACCOMPANYING EVIDENCE FILINGS: 9

GROUNDS: 10

LEGAL ARGUMENT AS TO WHY RULE 1:1 DOES NOT BAR THIS INDEPENDENT ACTION FROM THIS COURT'S JURISDICTION 12

GROUND OF "1. Fraud on the Court;" HAS MERIT BASED UPON THE SUPPORTING EVIDENCE.....16

The elements of fraud upon the Court are as follows:.....16

1. The Plaintiffs through Officer Robert Jones had charged Brian David Hill on September 21, 2018, within a few hours of detaining him, without conducting a full, thorough, and necessary investigation to find out why Defendant was naked in the middle of the night, with Autism Spectrum Disorder, with Type 1 Brittle Diabetes, and that the officer Robert Jones had questioned Defendant while he was dehydrated before being given hydration by the local hospital; (Element 1) 16

2. The Plaintiffs were ordered three separate times by two Courts in total (General District Court, Circuit Court) including this Court to have provided discovery evidence to the Defendant and/or to his court appointed attorney which includes any recorded statement of the Defendant made to law enforcement concerning the criminal charge; instead the Plaintiffs' had destroyed the discovery evidence of the police body-camera footage during the pendency of the criminal trial proceedings and litigation, then they demand a jury trial despite knowing that they destroyed evidence favorable to the Defendant in violation of three separate court orders which is CONTEMPT OF COURT; (Element 2).....17

3. Plaintiffs had prosecuted the case without fully having the probable cause necessary to sustain a charge and obtain a criminal conviction, meaning that they had charged Defendant with: "intentionally make an obscene display of the accused's person or private parts in a public place or in a place where others were present." The elements which the Plaintiffs had lacked when Robert Jones had charged Defendant was (1) "was medically and psychologically cleared.", (2) Defendant had "intentionally make an obscene display" (Obscenity element), and (3) Intent itself; (Element 3).....17

4. The Police officer Robert Jones of Martinsville Police Department had charged him so quickly that it gave him and the Commonwealth Attorney the excuse to ignore evidence and refuse to conduct any further investigation into why Defendant was naked in the middle of the night; (Element 4) 18

5. The Police officer Robert Jones of Martinsville Police Department had made statements under oath in Federal Court as to the arrest of Brian David Hill on September 21, 2018, as to him being medically cleared but then the statements start coming out which draw the entire arrest into question that certain elements were not proven and thus the probable cause did not exist for every element of the charged offense; (Element 5).....18

6. The Defendant has clear and convincing prima facie evidence that he was NOT medically and psychologically cleared as assumed by Plaintiffs when that is one of the required elements of the charged crime as the CRIMINAL COMPLAINT has that element in the affidavit saying: “He was medically and psychologically cleared.” (Element 6) 18

STATEMENT OF THE FACTS 21

Element 1: The Plaintiffs through Officer Robert Jones had charged Brian David Hill on September 21, 2018, within a few hours of detaining him, without conducting a full, thorough, and necessary investigation to find out why Defendant was naked in the middle of the night, with Autism Spectrum Disorder, with Type 1 Brittle Diabetes, and that the officer Robert Jones had questioned Defendant while he was dehydrated before being given hydration by the local hospital. 22

Element 2: The Plaintiffs were ordered three separate times by two Courts in total (General District Court, Circuit Court) including this Court to have provided discovery evidence to the Defendant and/or to his court appointed attorney which includes any recorded statement of the Defendant made to law enforcement concerning the criminal charge; instead the Plaintiffs’ had destroyed the discovery evidence of the police body-camera footage during the pendency of the criminal trial proceedings and litigation, then they demand a jury trial despite knowing that they destroyed evidence favorable to the Defendant in violation of three separate court orders which is CONTEMPT OF COURT; 26

Defendant hereby asks the Circuit Court to allow the Defendant to maintain or assert an adverse inference to the Plaintiffs destruction of the police body-camera footage. 38

Proffered adverse Inference: Defendant asserts under adverse inference that the destroyed police body-camera footage would have proven that the Defendant was intoxicated, was dehydrated, and/or had exhibited behaviors which may be an

indication of being intoxicated during the questioning of Brian David Hill as to why he was naked. That evidence which was destroyed would have shown Defendant being intoxicated or not in his right state of mind when Officer Robert Jones had spoken with the Defendant during the activation of his body-camera on his person, on his uniform. The body-cam footage would have shown footage not favorable to the Martinsville Police Department in how they handled the situation of a person with medical issues including a neurological disability of autism spectrum disorder and Type 1 brittle diabetes. That is what the Defendant is proffering to this Court as a fact of an adverse inference. Defendant is entitled to an adverse inference when the Plaintiffs had not complied with three court orders for discovery evidence materials and had destroyed evidence subject to those three court orders.....38

Element 3: Plaintiffs had prosecuted the case without fully having the probable cause necessary to sustain a charge and obtain a criminal conviction, meaning that they had charged Defendant with: "intentionally make an obscene display of the accused's person or private parts in a public place or in a place where others were present." The elements which the Plaintiffs had lacked when Robert Jones had charged Defendant was (1) "was medically and psychologically cleared.", (2) Defendant had "intentionally make an obscene display" (Obscenity element), and (3) Intent itself......39

Element 4: The Police officer Robert Jones of Martinsville Police Department had charged him so quickly that it gave him and the Commonwealth Attorney the excuse to ignore evidence and refuse to conduct any further investigation into why Defendant was naked in the middle of the night;.....48

Element 5: The Police officer Robert Jones of Martinsville Police Department had made statements under oath in Federal Court as to the arrest of Brian David Hill on September 21, 2018, as to him being medically cleared but then the statements start coming out which draw the entire arrest into question that certain elements were not proven and thus the probable cause did not exist for every element of the charged offense......50

Element 6: The Defendant has clear and convincing prima facie evidence that he was NOT medically and psychologically cleared as assumed by Plaintiffs when that is one of the required elements of the charged crime as the CRIMINAL COMPLAINT has that element in the affidavit saying: "He was medically and psychologically cleared." 61

ALL ELEMENTS HAVE BEEN PROVEN AND SATISIFIED.....80

LEGAL ARGUMENTS 86

CONCLUSION 94

EXHIBITS LIST 99

EVIDENCE DECLARATION ATTACHMENTS LIST 102

REQUEST FOR COURT TO PROVIDE EQUITABLE RELIEF AND ANY OTHER RELIEF 103

CERTIFICATE OF SERVICE, CERTIFICATE OF FILING 105

Motion/Petition to Vacate Judgment pursuant to Section 8.01-428(D), Section 8.01-428(B), and Section 8.01-428(A)

COMES NOW the Defendant, BRIAN DAVID HILL ("Defendant"), by and through himself pro se, and moves this Honorable Court for the following independent action, for setting aside a judgment, and/or vacating a judgment, and/or bringing relief against a judgment of criminal conviction entered on November 18, 2019 (**EXHIBIT PAGE 271 OF 337**) against the Defendant, caused by the instant criminal charge which had been filed against Defendant on September 21, 2018. See **EXHIBIT PAGE 2-4 OF 337**. That judgment in the Circuit Court is wrongful and should be vacated, set aside, considered as void or voided, or altered to reflect a judgment of acquittal as a matter of law, or that charge be nullified or voided. This independent action is not time barred and is not barred by Rule 1:1. The judgment which the Defendant is challenging is the Judgment in **EXHIBIT PAGE 271 OF 337**, **EXHIBIT 21**, the judgment rendered on November 18, 2019, convicting the Defendant of the crime of "INDECENT EXPOSURE", of Virginia Code 18.2.387.

See Lowe v. Commonwealth, Record No. 0036-02-3, (Va. Ct. App. Jan. 14, 2003) (""Fraud consists of a false representation of a material fact, made intentionally and knowingly, with the intent to mislead, upon which the defrauded

person relies to his detriment." Peet v. Peet, 16 Va. App. 323, 326, 429 S.E.2d 487, 490 (1993). Fraud may be extrinsic or intrinsic.")

See Davis v. Commonwealth, No. 0972-22-4, 2 (Va. Ct. App. Jan. 10, 2023) ("However, Code § 8.01-428 provides limited exceptions to Rule 1:1, and states in relevant part: D. Other judgments or proceedings.-This section does not limit the power of the court to entertain at any time an independent action to relieve a party from any judgment or proceeding, or to grant relief to a defendant not served with process as provided in § 8.01-322, or to set aside a judgment or decree for fraud upon the court."). Davis v. Mullins, 251 Va. 141, 149 (Va. 1996) ("One such exception is provided by Code Sec. 8.01-428(B) which permits the trial court to correct at any time "[c]lerical mistakes in all judgments or other parts of the record and errors therein arising from oversight or from an inadvertent omission." Code Sec. 8.01-428(B); see also Lamb v. Commonwealth, 222 Va. 161, 165, 279 S.E.2d 389, 392 (1981). In addition, in Council v. Commonwealth, 198 Va. 288, 292, 94 S.E.2d 245, 248 (1956), we adopted the majority view that the trial court has the inherent power, independent of statutory authority, to correct errors in the record so as to cause its acts and proceedings to be set forth correctly. In short, the court has the inherent power, independent of the statute, upon any competent evidence, to make the record "speak the truth." Netzer v. Reynolds, 231 Va. 444, 449, 345 S.E.2d 291, 294 (1986).")

The law which gives this Court jurisdiction to grant this motion and/or consider this motion on its merits or even provide an evidentiary hearing in regard to this motion is based upon Va. Code § 8.01-428: which Section 8.01-428 is – "Setting aside default judgments; clerical mistakes; independent actions to relieve party from judgment or proceedings; grounds and time limitations" (citation reformatted). The brief in this motion will argue how this Court does have jurisdiction over independent actions under Va. Code § 8.01-428.

ACCOMPANYING EVIDENCE FILINGS:

The following evidence filings shall accompany this filing in support of this MOTION and is referenced herein.

1. Evidence_Declaration-1-26-2023.pdf - EVIDENCE OF FEDERAL COURT DECLARATIONS UNDER PENALY OF PERJURY IN SUPPORT OF MOTION FOR SET ASIDE OR RELIEVE DEFENDANT OF JUDGMENT OF CONVICTION OF CRIMINAL CHARGE PURSUANT TO VIRGINIA CODE § 8.01-428(D), VIRGINIA CODE § 8.01-428(A) AND VIRGINIA CODE § 8.01-428(B) ON THE BASIS OF FRAUD UPON THE COURT, CLERICAL FACTUAL ERRORS. This document is being filed separately but accompanies this MOTION so that the judge can easily access the citations of the different page numbers from this separate document referenced in this Motion. – Pages marked as EVIDENCE ATTACHMENT PAGE (#) OF 22.

2. Evidence_Exhibits-1-26-2023.pdf - EXHIBITS 1-25 attached to: "MOTION FOR SET ASIDE OR RELIEVE DEFENDANT OF JUDGMENT OF CONVICTION OF CRIMINAL CHARGE PURSUANT TO VIRGINIA CODE § 8.01-428(D), VIRGINIA CODE § 8.01-428(A) AND VIRGINIA CODE § 8.01-428(B) ON THE BASIS OF FRAUD UPON THE COURT, CLERICAL FACTUAL ERRORS". This document is being filed separately but accompanies this MOTION so that the judge can easily access the citations of the different page numbers from this separate document referenced in this Motion. – Pages marked as EXHIBIT PAGE (#) OF 337.

The grounds in support of this motion are briefly as follows and this motion also presenting a brief with legal arguments, facts, and evidence in support of this motion.

GROUNDS:

1. Fraud on the Court;

2. Factual errors aka clerical errors regarding facts which would have supported the Plaintiffs' push for a criminal conviction, disproven facts/disproven material elements warrant vacatur of judgment;

3. That the judgment is in conflict of laws by conflicting with Commonwealth Bar Rule 3.8 - Additional Responsibilities Of A Prosecutor, Va. R.

Sup. Ct. 3.8 (“(a) not file or maintain a charge that the prosecutor knows is not supported by probable cause”);

4. That the judgment is in conflict of laws by conflicting with Commonwealth Bar Rule 3.8 - Additional Responsibilities Of A Prosecutor, Va. R. Sup. Ct. 3.8 (“(d) make timely disclosure to counsel for the defendant, or to the defendant if he has no counsel, of the existence of evidence which the prosecutor knows tends to negate the guilt of the accused, mitigate the degree of the offense, or reduce the punishment, except when disclosure is precluded or modified by order of a court”);

5. That the Plaintiffs’ by and through the Commonwealth Attorney knowingly destroyed evidence of police body-camera footage recorded on September 21, 2018, of Defendant talking about why he was out there on the Dick and Willie walking trail in the nude at nighttime because Defendant asserts that he has the adverse inference that the destroyed evidence of the policy body-camera footage could have proven that Defendant exhibited mannerisms and/or behavior which could indicate intoxication aka a criminal defense of involuntary intoxication. That is because such destruction of the body-camera footage violated three separate court orders for discovery materials (Brady Materials) which is contempt of court three separate times committed by the Plaintiffs’;

6. That Defendant cannot be convicted as a matter of law with the evidence in support of independent action under § 8.01-428, therefore the judgment should be considered void or should be considered voidable, and should be voided with lack of jurisdiction to have even entered such a judgment, based on the lack of merits presented by Plaintiffs' since the charge on September 21, 2018, against the Defendant.

END GROUNDS

LEGAL ARGUMENT AS TO WHY RULE 1:1 DOES NOT BAR THIS INDEPENDENT ACTION FROM THIS COURT'S JURISDICTION

Virginia Code § 8.01-428, is a limited statutory exception to Rule 1:1. Code § 8.01-428(D), permits a party to move to set aside a judgment for fraud upon the court, also applies in criminal cases. Pursuant to Code § 8.01-428(B), trial courts may also utilize *nunc pro tunc* orders to correct clerical errors within the record beyond the timeframe of Rule 1:1. *Jefferson v. Commonwealth*, 298 Va. 473, 476–77, 840 S.E.2d 329, 332 (2020).

See Wilson v. Commonwealth, 108 Va. Cir. 97, 101–02 (Fairfax Cir. Ct. Apr. 20, 2021) (Ortiz, J.) (holding that Code § 8.01-428(D) applies in criminal proceedings); see also Lamb v. Commonwealth, 222 Va. 161, 165, 279 S.E.2d 389, 392 (1981) (holding that Code § 8.01-428(B) applies in criminal cases and noting

that the text of Code § 8.01-428 does not limit its applicability to civil cases as its statutory predecessors did).

Peet v. Peet, 16 Va. App. 323, 327, 429 S.E.2d 487, 490 (1993) (“Generally, a judgment or decree rendered by a court having jurisdiction over the parties and subject matter must be challenged by direct appeal and cannot be attacked collaterally.”). The exception is judgements that are void ab initio and can be challenged at any time. Id.

Peet v. Peet, 16 Va. App. 323, 326 (Va. Ct. App. 1993) (“Eagle, Star British Dominions Ins. Co. v. Heller, 149 Va. 82, 100, 144 S.E. 314, 319 (1927); cf. Garritty v. Virginia Dep't of Social Servs. ex rel. Sinift, 11 Va. App. 39, 41-42, 396 S.E.2d 150, 151 (1990). A party may, however, assail a void judgment at any time, by direct or collateral attack. Beck v. Semones' Adm'r, 145 Va. 429, 441, 134 S.E. 677, 680 (1926); Garritty, 11 Va. App. at 42, 396 S.E.2d at 151. Although a judgment obtained by "extrinsic fraud" is void and, therefore, subject to direct or collateral attack, a judgment obtained by "intrinsic fraud" is merely voidable and can be challenged only by direct appeal or by a direct attack in an independent proceeding. Jones v. Willard, 224 Va. 602, 607, 299 S.E.2d 504, 508 (1983); Holmes v. Holmes, 8 Va. App. 457, 458-59, 382 S.E.2d 27, 28 (1989).”)

Defendant will demonstrate a prima facie claim of fraud upon the court, and that the original charge was not based upon the very probable cause needed to warrant a conviction of it's criminal charge on September 21, 2018.

A judgment obtained by extrinsic fraud is void ab initio and can, therefore, be challenged at any time pursuant to Code § 8.01-428(D). Id. However, "a judgment obtained by 'intrinsic fraud' is merely voidable and can be challenged only by direct appeal or by a direct attack in an independent proceeding." Id.

Extrinsic fraud is "conduct which prevents a fair submission of the controversy to the court." Id. (quoting Jones v. Willard, 224 Va. 602, 607, 299 S.E.2d 504, 508 (1983). Extrinsic fraud includes: "[k]eeping the unsuccessful party away from the court by a false promise of a compromise, or purposely keeping him in ignorance of the suit; or where an attorney fraudulently pretends to represent a party[] and connives at his defeat." McClung v. Folks, 126 Va. 259, 279, 101 S.E. 345, 348 (1919); accord F.E. v. G.F.M., 35 Va. App. 648, 660, 547 S.E.2d 531, 537 (2001). In such circumstances, the fraud perpetrated "prevents the court or non-defrauding party from discovering the fraud through the regular adversarial process." F.E., 35 Va. App. at 660, 547 S.E.2d at 537 (quoting Peet, 16 Va. App. at 327, 429 S.E.2d at 490). "Extrinsic fraud, therefore, is 'fraud that . . . deprives a person of the opportunity to be heard.'" Id. (quoting Hagy v. Pruitt, 339 S.C. 425, 431, 529 S.E.2d 714, 717 (S.C. 2000).

Intrinsic fraud, on the other hand, "includes perjury, use of forged documents, or other means of obscuring facts presented before the court and whose truth or falsity as to the issues being litigated are passed upon by the trier of fact." Peet, 16 Va. App. at 327, 429 S.E.2d at 490. "A collateral attack on a judgment procured by intrinsic fraud has been deemed not warranted because the parties have the opportunity at trial through cross-examination and impeachment to ferret out and expose false information presented to the trier of fact." Id.

The Defendant couldn't address or had been able to have proven any factual issues of intrinsic fraud due to ineffective assistance of counsel, and any pro se motions filed by the Defendant were ignored by this Court while counsel was appointed to represent Defendant who was ineffective counsel and refused to do anything about any intrinsic fraud. Defendant also asserts ineffective assistance of counsel on why intrinsic fraud was never able to addressed by the Defendant. Defendant has no appointed counsel at this time, and so this motion should be considered and granted. This Could should accept the fact that Constitutionally intrinsic fraud was never addressed by court appointed counsels on the basis that Defendant wasn't allowed to file pro se motions or pro se motions were ignored while counsel did nothing to address any fraud by the Plaintiffs'. See *Strickland v. Washington*, 466 U.S. 668, 104 S. Ct. 2052 (1984).

In fact, every court appointed counsel had either colluded with the destruction of evidence by the Plaintiffs' or had neglected to do their duties as officers of the Court to enforce Court Orders for discovery which included the police body-camera footage destroyed by Plaintiffs' after being given three court orders. It is usually wrongful to destroy evidence which is material to a pending criminal or civil litigation.

McQueeney v. Wilmington Trust Co., 779 F.2d 916, 921 (3d Cir. 1985) ("There is ample support among both scholars and courts for this line of argument. Wigmore calls the inference "one of the simplest in human experience": It has always been understood — the inference indeed is one of the simplest in human experience — that a party's falsehood or other fraud in the preparation and presentation of his cause, his fabrication or suppression of evidence by bribery or spoliation, is receivable against him as an indication of his consciousness that his case is a weak or unfounded one; and from that consciousness may be inferred the fact itself of the cause's lack of truth and merit.")

GROUND OF "1. Fraud on the Court;" HAS MERIT BASED UPON THE SUPPORTING EVIDENCE

The elements of fraud upon the Court are as follows:

1. The Plaintiffs through Officer Robert Jones had charged Brian David Hill on September 21, 2018, within a few hours of detaining him, without conducting a

full, thorough, and necessary investigation to find out why Defendant was naked in the middle of the night, with Autism Spectrum Disorder, with Type 1 Brittle Diabetes, and that the officer Robert Jones had questioned Defendant while he was dehydrated before being given hydration by the local hospital; (Element 1)

2. The Plaintiffs were ordered three separate times by two Courts in total (General District Court, Circuit Court) including this Court to have provided discovery evidence to the Defendant and/or to his court appointed attorney which includes any recorded statement of the Defendant made to law enforcement concerning the criminal charge; instead the Plaintiffs' had destroyed the discovery evidence of the police body-camera footage during the pendency of the criminal trial proceedings and litigation, then they demand a jury trial despite knowing that they destroyed evidence favorable to the Defendant in violation of three separate court orders which is CONTEMPT OF COURT; (Element 2)

3. Plaintiffs had prosecuted the case without fully having the probable cause necessary to sustain a charge and obtain a criminal conviction, meaning that they had charged Defendant with: "intentionally make an obscene display of the accused's person or private parts in a public place or in a place where others were present." The elements which the Plaintiffs had lacked when Robert Jones had charged Defendant was (1) "was medically and psychologically cleared.", (2)

Defendant had “intentionally make an obscene display” (Obscenity element), and (3) Intent itself; (Element 3)

4. The Police officer Robert Jones of Martinsville Police Department had charged him so quickly that it gave him and the Commonwealth Attorney the excuse to ignore evidence and refuse to conduct any further investigation into why Defendant was naked in the middle of the night; (Element 4)

5. The Police officer Robert Jones of Martinsville Police Department had made statements under oath in Federal Court as to the arrest of Brian David Hill on September 21, 2018, as to him being medically cleared but then the statements start coming out which draw the entire arrest into question that certain elements were not proven and thus the probable cause did not exist for every element of the charged offense; (Element 5)

6. The Defendant has clear and convincing prima facie evidence that he was NOT medically and psychologically cleared as assumed by Plaintiffs when that is one of the required elements of the charged crime as the CRIMINAL COMPLAINT has that element in the affidavit saying: “He was medically and psychologically cleared.” (Element 6)

Again, Defendant had no opportunity to address any intrinsic fraud upon the court committed by the Plaintiffs’ because of ineffective assistance of counsel who

didn't even ask the Court to enforce any discovery order and allowed Plaintiffs to destroy evidence favorable to the innocence of Defendant during pending litigation, and any pro se motions were ignored by this Court while Defendant was appointed counsel who did nothing to help the Defendant prove his innocence, and did nothing to pursue any action favorable to the Defendant except for getting him released on bond conditions, that was the only favorable relief Defendant ever got from any of his court appointed lawyers. Again, See *Strickland v. Washington*, 466 U.S. 668, 104 S. Ct. 2052 (1984). **The Defendant's sixth amendment right to effective assistance of counsel was violated and deprived, so Defendant should be allowed in this motion to address both intrinsic and extrinsic fraud or consider the intrinsic fraud as extrinsic fraud due to ineffective assistance of counsel preventing any fraud from being brought up or investigated, preventing any fraud from being proven, and preventing any fraud from being addressed by this Court.** No factual fraud was ever addressed by this Court as Defendant had not known what all of the proven fraud were. Even when he entered in November, 2019, the motion asking to vacate a fraudulent begotten judgment, the Defendant didn't have all of the facts because he didn't have access to the Record on Appeal and any records would cost 50 cents a page from the Clerk, Defendant had to wait until appeal, and for lawyer John Ira Jones, IV to sabotage Defendant's appeal and force the Defendant to fight the appeals pro se

without a lawyer, before he was able to get the large pages of the Record on Appeal and find out where he can prove the frauds and how he could prove the frauds.

Also, the Defendant never plead guilty, and the Honorable Giles Carter Greer made that clear when he struck out the words of pleading guilty because of what he had typed in his "Motion to withdraw appeal" where he maintains his innocence, because Judge Greer knew that Defendant was not pleading guilty. This may be construed under law as an Alford Plea. See **EXHIBIT PAGE 271 OF 337**. Defendant only "AFFIRMED JUDG, PAY COURT COSTS." Defendant did not plead guilty, so Defendant is still entitled Constitutionally to the standard where every element of the charged offense must be proven beyond a reasonable doubt. If the Defendant presents evidence to the Court that one or multiple elements of the crime are untrue, and can be disproven, then the Defendant is entitled to acquittal or any relief of a wrongful judgment as a matter of law, and a conviction cannot be sustained on a factual basis.

United States v. Gaudin, 515 U.S. 506, (1995) ("(a) The Fifth and Sixth Amendments require criminal convictions to rest upon a jury determination that the defendant is guilty of every element of the crime with which he is charged. Sullivan v. Louisiana, 508 U.S. 275, 277-278. The Government concedes that "materiality" is an element of the offense that the Government must prove under § 1001. Pp. 509-

511."). In this case, the Commonwealth of Virginia would be held to the Fourteenth Amendment of the U.S. Constitution, as due process of law requires "criminal convictions to rest upon a jury determination that the defendant is guilty of every element of the crime with which he is charged." If the defendant is not guilty of every element, then a conviction cannot be sustained as a matter of law, it is fraudulent and unconstitutional to sustain a conviction when material elements of a crime are disproved.

The case law of the SUPREME COURT OF VIRGINIA, yes, the Supreme Court of Virginia also establishes the same standards as the Federal Court standards. See Tompkins v. Commonwealth, 212 Va. 460, 462 (Va. 1971) ("In other instructions granted by the trial court, the jury was clearly told that the burden was upon the Commonwealth to establish beyond a reasonable doubt every element of the offense with which the defendant was charged."). See Hodge v. Commonwealth, 217 Va. 338, (Va. 1976) ("2. Presumption of innocence follows accused throughout trial and is sufficient to require acquittal unless Commonwealth proves beyond a reasonable doubt every material element of charge. Burden of proof is always upon Commonwealth and this burden never shifts.")

STATEMENT OF THE FACTS

This STATEMENT OF THE FACTS contains 6 elements.

The Statement of Facts is hereby presented to the Circuit Court for Martinsville based on the following pieces of evidence which prove fraud upon the court, and/or factual errors:

Element 1: The Plaintiffs through Officer Robert Jones had charged Brian David Hill on September 21, 2018, within a few hours of detaining him, without conducting a full, thorough, and necessary investigation to find out why Defendant was naked in the middle of the night, with Autism Spectrum Disorder, with Type 1 Brittle Diabetes, and that the officer Robert Jones had questioned Defendant while he was dehydrated before being given hydration by the local hospital.

According to the Transcript, Officer Robert Jones received a call about a naked man running; and that phone call by the caller came in around 3:12 AM. See **EXHIBIT PAGE 37 OF 337**. Then Officer Jones goes into explaining about listening to the Defendant as to why he was out there naked, talking about "a male that was in a hoodie, that he was told that he had to take those pictures". See **EXHIBIT PAGE 38 OF 337**. 3:12 AM does not indicate the time when Defendant was found but when the caller had called the police about a naked man running.

Defendant was quickly arrested by a CRIMINAL COMPLAINT (**EXHIBIT PAGE 4 OF 337**) and ARREST WARRANT (**EXHIBIT PAGE 2 OF 337**) a few hours or less after he was found by Martinsville Police. A few hours or less. Not really anywhere near enough time to conduct an investigation into any of Defendant's claims. Defendant was arrested on 05:35 AM.

Martinsville Police could have done a thorough investigation into Defendant's claims and still could have detained Defendant for up to 48 hours in jail aka the 48 hour rule, then after a thorough investigation that they can be sure that they have the probable cause on all elements of the offense to make the CRIMINAL COMPLAINT to ensure that the matter was properly investigated before filing a charge which takes investigative jurisdiction away from Martinsville Police Department and switches jurisdiction to the Commonwealth Attorney who ignores evidence and doesn't investigate anything because they are attorneys and not police officers, they are not detectives but attorneys. (Disclaimer: links from Defendant's family) See https://kitaylegal.com/2022/01/01/detained-by-the-police-know-your-rights/ "*The police can detain you for questioning for up to 48 hours without pressing any charges. Some circumstances can allow the police to detain you for a longer period of time. These may include weekends or legal holidays.*" Police charged Defendant quickly without looking at all of the evidence, without investigating all of the facts, and without investigating all of the circumstances which may end up coming out in Court which may disprove the elements of the offense that the Commonwealth Attorney may not foresee or did foresee but pressed for the conviction anyways despite non-compliance with Virginia State Bar Rule 3.8.

The arrest was too quickly when they could have detained Defendant up to 48 hours while the police could have questioned Roberta Hill (Defendant's mother), and his grandparents as well as Dr. Brant Hinchman who released Defendant within approximately an hour after he had was hospitalized, released to Martinsville Police to be jailed. The police never drug tested him, they never even asked Dr. Brant Hinchman what his levels or abnormal levels were. The police never even subpoenaed his medical records and never spoken with the doctor about Brian's medical issues before arresting Defendant.

There was very little of any real investigation at all if any. They never checked the Department of Motor Vehicles (DMV) for any identification including any handicap status which would have Defendant under federal legal protection of the Americans with Disabilities Act (ADA) Title II, see Title 42 U.S. Code § 12131. The police disregarded his legal rights under the ADA. If Robert Jones had checked the DMV record very quickly, he would have found a record of both Defendant's state issued identification and a record of the DISABLED PARKING PLACARDS OR LICENSE PLATES APPLICATION as is in **EXHIBIT PAGES 190-193 OF 337**.

Defendant had tried to submit evidence to the Martinsville Police Department in 2019 after his release on both State Court bond conditions and Federal Court bond conditions, the return receipt to restricted delivery certified mail envelope was

signed by former corrupt Police Chief G. E Cassady. See **EXHIBIT PAGE 211 OF 337**, with the fax which was faxed to Martinsville Police to pick up the envelope with evidence. After it was signed for by former Police Chief G. E. Cassady, the envelope was never opened and the evidence was never looked at or investigated. See **EXHIBIT PAGE 214-215 OF 337**. The evidence the envelope was never opened is in photograph on **EXHIBIT PAGE 213 OF 337**. Defendant still has this envelope, still sealed, and not messed with. Defendant has this envelope, sealed envelope full of evidence mailed to Martinsville Police Department, and is willing to turn over this envelope to the Circuit Court and to the Commonwealth Attorney for examination, authentication, and to make copies of it as part of the discovery process. Defendant will not cover up evidence, unlike the corrupt Commonwealth Attorney who covers up evidence.

Defendant was given the envelope of evidence from Attorney Matthew Scott Thomas Clark. That was because that envelope was turned over to the Commonwealth Attorney (CA) who then never opened the envelope and never looked through its contents, refused to look at the evidence inside, and instead gave the envelope to the court appointed lawyer who did nothing with it, never told the Defendant about possessing the envelope to Martinsville Police until after Defendant had withdrawn appeal. See **EXHIBIT PAGE 212 OF 337**. It said: "Turned over to CA 8/7/2019 1455 hrs.". The Defendant made sure to notify the

Police Chief that evidence was being mailed to them, and yet that was disregarded because of Officer Jones charging Defendant within a few hours or less giving them very little to no time to conduct any real thorough investigation into why a man would be found naked running in the middle of the night until the police were called at around 3 AM. See **EXHIBIT PAGE 211 OF 337**. Defendant had said in his fax: "Very Important Evidence. Please sign for it Chief G.E. Cassady…I am sorry that it is restricted delivery but I wanted to make sure that the evidence was picked up by somebody in your Department."

This had proven that Martinsville Police Department had quickly charged the Defendant with a crime without ever conducting any real or thorough investigation which could have been done easily within a 48-hour period before taking their own jurisdiction away and giving it to the legal system.

Element 1 has been satisfied.

Element 2: The Plaintiffs were ordered three separate times by two Courts in total (General District Court, Circuit Court) including this Court to have provided discovery evidence to the Defendant and/or to his court appointed attorney which includes any recorded statement of the Defendant made to law enforcement concerning the criminal charge; instead the Plaintiffs' had destroyed the discovery evidence of the police body-camera footage during the pendency of the criminal trial proceedings and litigation, then they demand a jury trial despite knowing that they destroyed evidence favorable to the Defendant in violation of three separate court orders which is CONTEMPT OF COURT;

Defendant has the evidence, and part of that evidence is already in the records of the Circuit Court and General District Court records transferred to the Circuit Court.

Defendant has the evidence that Martinsville Police Department who is represented by the Commonwealth's Attorney for the City of Martinsville were given three separate Court Orders, by two separate Courts. Two orders from the Circuit Court, and one order from the General District Court, an ORDER for DISCOVERY. Those are Court Orders, and Court Orders have to be followed by all parties including by officers of the Court. If an officer of the Court doesn't comply with a court order or outright resists the Court by refusing to follow an order of a Court, that is CONTEMPT OF COURT. That is basic logic for all attorneys/lawyers to understand. If you refuse to follow an Order of the Court then that is CONTEMPT OF COURT. See how it works.

Plaintiffs City of Martinsville and Commonwealth of Virginia had not complied with those three court orders and had clearly not complied with them while demanding a Jury Trial against the Defendant while refusing to comply with three court orders. It isn't just refusal to following those court orders, it also entails a "spoliation of evidence" by the Plaintiffs. Evidence being destroyed after being subject to both protection during pending litigation and subject to three separate court orders. This is FRAUD ON THE COURT by the Plaintiffs.

See those very Court Orders from the which the record of the Court has three orders. One from the General District Court (See **EXHIBIT PAGE 273-274 OF 337**, in **EXHIBIT 22**) and two different court orders from two separate times in the Circuit Court (See **EXHIBIT PAGE 275-280 OF 337**, in **EXHIBIT 22**) as shown in **EXHIBIT 22**.

Here is what the Order from the General District Court says in the citation below as to what part of the court order was not complied with and/or was violated by Plaintiffs of this criminal case.

CITATION of EXHIBIT PAGE 273-274 OF 337 (COURT ORDER #1):

ORDER

It appearing to the Court that discovery pursuant to Rule 7C:5 should be granted to the Defendant, it is hereby ORDERED and DECREED that the Commonwealth's Attorney permit counsel for the Defendant to inspect and copy or photograph, within a reasonable time, before the preliminary hearing, the following:

(1) Any relevant written or recorded statements or confessions made by the Defendant, or copies thereof, or the substance of any oral statements or confessions made by the Defendant to any law enforcement officer, the existence of which is known to the attorney for the Commonwealth;

...

(3) Any exculpatory information or evidence as set forth by Brady v. Maryland and its progeny that is known to the Commonwealth.

And it is further ADJUDGED, ORDERED and DECREED that the Commonwealth shall promptly notify counsel for the Defendant of the existence of any additional material subsequently discovered which falls within the scope of this motion and make all such additional material available to the Defendant's attorney in accordance with the text and intention of this Motion.

ENTER this 28 day of November, 2018.

Defendant Brian David Hill had verbally told his attorney Scott Albrecht about such existence of the police body-camera footage. That was why Scott Albrecht had filed such a motion requesting for discovery with the following:

CITATION of Page 28 of GD PAPERWORK (RECORDS FROM GENERL DISTRICT COURT, in this case):

COMES NOW the Defendant, BRIAN DAVID HILL, by Counsel, and moves this Honorable Court for the following, as provided by law and Rule 7C:5 of the Virginia Rules of Court: 1. That in accordance with said Rule, the Commonwealth's Attorney permit and make available to the Attorney for the Defendant for inspection, copying, or photographing any relevant (i) written or recorded statements or confessions made by the accused, or copies thereof, or the substance of any oral statements or confessions made by the accused to any law enforcement officer…

This would cover the police body-camera footage, to a T. This fits the Court Order very closely. Police body-camera footage by definition would be a "recorded statements" since statements made by the Defendant to Officer Robert Jones was recorded by the body-camera on the officer's uniform. Martinsville Police Department either failed to notify the Commonwealth's Attorney of the existence of the police body-cam (body-camera footage) footage, refused to notify the Commonwealth's Attorney of the existence of the police body-cam (body-camera footage) footage, or the Commonwealth's Attorney had known of the existence of this material evidence but refused to follow the General District Court's order.

Here is what the Order from the Circuit Court says in the citation below as to what part of the court order was not complied with and/or was violated by Plaintiffs of this criminal case.

CITATION of EXHIBIT PAGE 275-277 OF 337 (COURT ORDER #2):

ORDER REGARDING DISCOVERY

Came this day, the Defendant, Brian David Hill, by counsel, who moved, pursuant to Rule 3A:11 of the Rules of Court, that the Commonwealth's Attorney be directed to permit the Defendant discovery in this case, as set forth in the said Rule, and upon the motion of the attorney of the Commonwealth requesting reciprocal discovery under the said Rule; and,

It appearing to the Court that discovery pursuant to Rule 3A:11(b) should be granted to the Defendant, it is hereby ORDERED that the Commonwealth's Attorney permit counsel for the Defendant to inspect and copy or photograph, within a reasonable time, before the trial or sentencing, the following:

(1) Any relevant written or recorded statements or confessions made by the Defendant, or copies thereof, or the substance of any oral statements or confessions made by the Defendant to any law enforcement officer, the existence of which is known to the attorney for the Commonwealth, any certificates of analysis pursuant to $ 19.2-187, and any relevant written reports of autopsies, ballistic tests, fingerprint analyses, handwriting analyses, blood, urine, and, breath tests, other scientific reports, and written reports of a physical or mental examination of the Defendant or the alleged victim made in connection with this particular case, or copies thereof, that are known by the Commonwealth's Attorney to be within the possession, custody, or control of the Commonwealth.

...

ENTERED this 6th day of February, 2019.

Defendant Brian David Hill had verbally told his attorney Scott Albrecht about such existence of the police body-camera footage. Defendant had already

demonstrated proof that Scott Albrecht was aware of the body-cam footage since long ago in the General District Court, which carried onto the Circuit Court who had jurisdiction over the court orders for discovery, assuming that now only the Circuit Court can enforce the court orders which were violated and/or not complied with by an officer of the court.

Here is what the Order from the Circuit Court says in the citation below as to what part of the court order was not complied with and/or was violated by Plaintiffs of this criminal case.

CITATION of EXHIBIT PAGE 278-280 OF 337 (COURT ORDER #3):

ORDER REGARDING DISCOVERY

Came this day, the Defendant, Brian David Hill, by counsel, who moved, pursuant to Rule 3A:11 of the Rules of Court, that the Commonwealth's Attorney be directed to permit the Defendant discovery in this case, as set forth in the said Rule, and upon the motion of the attorney of the Commonwealth requesting reciprocal discovery under the said Rule; and,

It appearing to the Court that discovery pursuant to Rule 3A:11(b) should be granted to the Defendant, it is hereby ORDERED that the Commonwealth's Attorney permit counsel for the Defendant to inspect and copy or photograph, within a reasonable time, before the trial or sentencing, the following:

(1) Any relevant written or recorded statements or confessions made by the Defendant, or copies thereof, or the substance of any oral statements or confessions made by the Defendant to any law enforcement officer, the existence of which is known to the attorney for the Commonwealth, any certificates of analysis pursuant to $ 19.2-187, and any relevant written reports of autopsies, ballistic tests, fingerprint analyses, handwriting analyses, blood, urine, and, breath tests, other scientific reports, and written reports of a physical or mental examination of the Defendant or the alleged victim made in connection with this particular case, or

copies thereof, that are known by the Commonwealth's Attorney to be within the possession, custody, or control of the Commonwealth.

...

ENTERED this 15th day of July, 2019.

Defendant Brian David Hill had verbally told his attorney Scott Albrecht about such existence of the police body-camera footage. Defendant had already demonstrated proof that Scott Albrecht was aware of the body-cam footage in the General District Court, which carried onto the Circuit Court who had jurisdiction over the court orders for discovery, assuming that now only the Circuit Court can enforce the court orders which were violated and/or not complied with by an officer of the court.

DECLARATION BY BRIAN D. HILL (**EXHIBIT PAGES 317-337 OF 337**) and attached evidence demonstrates that Attorney Scott Albrecht was either ineffective as assistance of counsel or he colluded with the Commonwealth Attorney to not punish the Commonwealth Attorney for not ever complying with the three court orders for the discovery materials which included recorded statements of Brian David Hill the defendant made to any law enforcement officer, aka Martinsville Police Department which is under the authority and control of the Commonwealth's Attorney who represents Martinsville Police Department, the Commonwealth's Attorney represents the Plaintiffs in this case.

For the sake of brevity Defendant will not reiterate all of the text from the "DECLARATION OF BRIAN DAVID HILL IN SUPPORT OF MOTION FOR SET ASIDE OR RELIEVE DEFENDANT OF JUDGMENT OF CONVICTION OF CRIMINAL CHARGE PURSUANT TO VIRGINIA CODE § 8.01-428(D), VIRGINIA CODE § 8.01-428(A) AND VIRGINIA CODE § 8.01-428(B) ON THE BASIS OF FRAUD UPON THE COURT, CLERICAL FACTUAL ERRORS", **EXHIBIT PAGE 317-337 OF 337**. Defendant hereby incorporates by reference, as if fully set forth herein, all of the DECLARATION OF BRIAN DAVID HILL (**EXHIBIT PAGE 317-337 OF 337**) evidence, arguments, and citations.

First of all, Defendant had mailed a written letter (See **EXHIBIT PAGE 235 OF 337**, in **EXHIBIT 15**) and a photocopy of that same written letter to the Chief of Police of Martinsville Police Department, and Defendant's grandparents Kenneth Forinash and Stella Forinash had mailed a typed version of the Defendant's written letter (See **EXHIBIT PAGES 240-242 OF 337**) to the Chief of Police of Martinsville Police Department, all about asking for the police body-camera footage. See **EXHIBIT PAGES 318-320 OF 337**. The Martinsville Police Department was notified multiple times asking for the body-camera footage, and that was without the Defendant or his family even being aware of the Court Order for discovery from the General District Court. Not knowing that the Court had

already ordered such evidence be made available to the Defendant's attorney, letters were written asking the Chief of Police for the very evidence covered by the Courts Orders for discovery, all of them covered the body-camera footage to the letter of the law. Doesn't matter that Defendant was kept in the dark by Scott Albrecht in regard to those exact Court Orders, Brian did write a letter saying that the material he was requesting was "discovery" material, and that is enforceable to the exact letter of the law as to the first Court Order in the General District Court. So, they were made well aware of the body-camera footage.

Attorney Scott Albrecht was also contacted by email messages about issues concerning the police body-camera footage. As to why he never filed any motions for enforcing those Court Orders for discovery, it is beyond me. See **EXHIBIT 19**, **EXHIBIT PAGE 261-263 OF 337**. See **EXHIBIT 20**, **EXHIBIT PAGE 264-269 OF 337**.

It appears that Scott Albrecht had allowed the police body-camera footage to be destroyed and had allowed the Plaintiffs to violate those three court orders asking for discovery or at least not having to comply with those court orders. For him to act like he doesn't have to ask for compelling enforcement, It doesn't matter whether or not those court orders were pushed for by the Public Defender, he is an officer of the court, and an officer of the court is duty-bound as a matter of law, as a matter of ethics and professional conduct, professional responsibility, it is

his job to enforce sanctions or contempt proceedings against an officer of the court who does not comply with a Court Order. There is no point to a Court Order if the party does not have to follow a Court Order. There is no point to a Court Order if the party does not have to comply with a Court Order. Scott Albrecht also took part in the Plaintiffs defrauding the Court, and deceiving the Court by not having to comply with multiple court orders, and then turn around and admit to destroying the police body-camera footage by some lousy excuse of Martinsville Police Department's evidence retention period before evidence can be destroyed by Martinsville Police Department. That is spoliation of evidence during a pending criminal trial proceedings heading for a jury trial. The Plaintiffs destroyed evidence before the jury trial set for December 2, 2019.

Defendant is so upset about the Police getting away with destroying the body-camera footage and his court appointed lawyers doing absolutely nothing to push for sanctions or to push for any contempt charges against the Plaintiffs for violating multiple court orders. He filed a FOIA request more recently (**EXHIBIT PAGES 203-209 OF 337**) asking for records concerning himself as to when the police body-camera footage had been destroyed in 2019 as said by Attorney Matthew Clark. See **EXHIBIT PAGES 325-330 OF 337**, as to the Declaration under penalty of perjury by the Defendant about the body-camera footage being destroyed in 2019, prior to the Defendant filing a motion to withdraw appeal

because of how lousy and ineffective his appointed counsel was, referring to Matthew Clark who filed no motion for sanctions.

Defendant demonstrates proof of spoliation of evidence. What is the purpose or even the point of the Police Department requiring body-cameras on the uniforms of its own officers but then when the Court orders those to be disclosed to the Defendant's attorney then all of the sudden nothing is being done and then the Police Department destroys the body-camera footage after multiple letters asking for what the Court had already ordered??? (See **EXHIBIT PAGE 246 OF 337**). The article on page 246 said: "Martinsville, VA — The Martinsville Police Department says a small device has been making a big difference in fighting crime… Even on a very routine call, every word spoken and every movement taken will be captured clearly." So, they covered up the body-camera footage and that is a FRAUD ON THE COURT. It is fraud because the Plaintiffs purposefully ignored three court orders while they sat there and filed a motion asking for reciprocal discovery which was granted in the two court orders from the Circuit Court. So, Scott Albrecht had refused to enforce those Court Orders, he refused to do anything favorable on enforcing non-compliance to those Court Orders. He filed multiple motions for discovery and then turned around and acted like the Martinsville Police Department does not have to comply with those Court Orders, and acted like the Martinsville Commonwealth's Attorney Office does not have to

comply with those Court Orders. For arguments sake, if Defendant refused to comply with a Court Order including his bond conditions, he would be arrested and jailed for a capias with additional charges. If he refused to comply with appearing before the Court in a criminal case, he would be arrested and jailed for a capias. Yet the Commonwealth Attorney can defraud the court by ignoring the multiple Court Orders, and destroy the very evidence of what was asked for in those Court Orders. How is any of this not a crime here??? Contempt of Court is a criminal charge, am I right here? Is any of this even considered fraud?

Defendant has proven the element to the most extreme of necessary circumstances to demonstrate that the law is not being followed by the Plaintiffs in this case. If anyone is abusing the Court and fragrantly not complying with Court Orders it is the corrupt Commonwealth Attorney while they were demanding a jury trial to coerce the Defendant to file a motion to withdraw appeal because of his legal counsel was working against him every step of the way, colluding with the Commonwealth Attorney because it IS COLLUSION for the defense attorney to not even fight for his client as an officer of the court and refused to enforce the very Court Orders that officer pushed for. That officer made a monkey out of the Courts, he fooled around with the Courts, sat there and pushed for discovery and did absolutely nothing to enforce any of it. Both the defense attorney and the Plaintiffs attorney aka Glen Andrew Hall, Esq of the Commonwealth's Attorney Office are

officers of the Court. They both defrauded the Court against the wishes of the Defendant. The Defendant wants sanctions against both his court appointed lawyer and the Commonwealth's Attorney for serious misconduct and spoliation of evidence.

Defendant hereby asks the Circuit Court to allow the Defendant to maintain or assert an adverse inference to the Plaintiffs destruction of the police body-camera footage.

Proffered adverse Inference: Defendant asserts under adverse inference that the destroyed police body-camera footage would have proven that the Defendant was intoxicated, was dehydrated, and/or had exhibited behaviors which may be an indication of being intoxicated during the questioning of Brian David Hill as to why he was naked. That evidence which was destroyed would have shown Defendant being intoxicated or not in his right state of mind when Officer Robert Jones had spoken with the Defendant during the activation of his body-camera on his person, on his uniform. The body-cam footage would have shown footage not favorable to the Martinsville Police Department in how they handled the situation of a person with medical issues including a neurological disability of autism spectrum disorder and Type 1 brittle diabetes. That is what the Defendant is proffering to this Court as a fact of an adverse inference. Defendant is entitled to an adverse inference when

the Plaintiffs had not complied with three court orders for discovery evidence materials and had destroyed evidence subject to those three court orders.

Element 2 has been satisfied.

Element 3: Plaintiffs had prosecuted the case without fully having the probable cause necessary to sustain a charge and obtain a criminal conviction, meaning that they had charged Defendant with: "intentionally make an obscene display of the accused's person or private parts in a public place or in a place where others were present." The elements which the Plaintiffs had lacked when Robert Jones had charged Defendant was (1) "was medically and psychologically cleared.", (2) Defendant had "intentionally make an obscene display" (Obscenity element), and (3) Intent itself.

This is all true and can be proven as true. Element 1, Element 2, Element 4, Element 5, and Element 6 all work together with the referenced evidence (proofs) and arguments to demonstrate that the Plaintiffs' case was not backed by the necessary Probable Cause needed to sustain a criminal conviction or even to push a jury trial.

For the sake of brevity, Defendant will not reiterate all of the text from every other element regarding the evidence and arguments referenced and cited from all other elements. Defendant hereby incorporates by reference, as if fully set forth herein, all of the Element 1, Element 2, Element 4, Element 5, and Element 6 evidence, arguments, and citations.

Defendant also has evidence of fraud regarding Officer Robert Jones. The corrupt Federal Judge Thomas David Schroeder (*who may or may not be blackmailed by the U.S. Government, that eventually may be proven*) has covered up the statements of Officer Robert Jones saying under penalty of perjury at the federal court hearing on September 12, 2019, that the Defendant was not being obscene. Yes, the very officer who had charged the Defendant with "intentionally make an obscene display of the accused's person or private parts in a public place or in a place where others were present" (See **EXHIBIT PAGE 2 OF 337**), that same officer admitted under oath in Federal Court that Defendant was not being obscene when Attorney Renorda Pryor had asked the question whether the Defendant was being obscene, and the officer said in response that the Defendant had not. Yeah, the officer is not a lawyer per se, but he charged the Defendant with obscenity, and yet admitted later that Defendant had not been obscene. The corrupt and likely blackmailed Federal Judge had omitted or had caused the omission of such statements from the official Court Transcript, but witnesses which were present at that same federal hearing had typed affidavits or declarations and signed declarations (which are the same as affidavits except not being notarized) stating that they all heard Officer Jones saying under oath that Brian David Hill was not being obscene at the time of the alleged offense, and that means the entire basis in the ARREST WARRANT was fraudulent.

This Court can also subpoena Officer Robert Jones to ask him under oath in its own courtroom the very question asked to Robert Jones and his answer as to whether Brian Hill was being obscene or not. That question will determine whether the ARREST WARRANT's original basis of "intentionally make a obscene display" was filed in good faith and whether that basis was a lie from the very beginning or not. When a charging Officer admits that the Defendant was not being obscene, when that same officer charged the Defendant of making an obscene display, then that itself is a FRAUD UPON THE COURT as to a fraudulent basis for the arrest of Brian David Hill.

See the EVIDENCE OF FEDERAL COURT DECLARATIONS UNDER PENALY OF PERJURY IN SUPPORT OF MOTION FOR SET ASIDE OR RELIEVE DEFENDANT OF JUDGMENT OF CONVICTION OF CRIMINAL CHARGE PURSUANT TO VIRGINIA CODE § 8.01-428(D), VIRGINIA CODE § 8.01-428(A) AND VIRGINIA CODE § 8.01-428(B) ON THE BASIS OF FRAUD UPON THE COURT, CLERICAL FACTUAL ERRORS, Evidence_Declaration-1-26-2023.pdf.

Read the Declaration of Roberta Hill regarding her personally hearing Officer Robert Jones saying under oath that Brian David Hill had not been obscene. See **EVIDENCE ATTACHMENT PAGE 6-7 OF 22**. Roberta said in writing under oath: "I remember hearing the attorney Ms. Pryor ask officer Jones if Brian

Hill was being obscene on the night of September 21st and he replied that he wasn't obscene."

Read the Declaration of Brian Hill regarding him personally hearing Officer Robert Jones saying under oath that Brian David Hill had not been obscene. See **EVIDENCE ATTACHMENT PAGE 9-13 OF 22**. Brian Hill said in writing under oath: "The last thing I remembered with my own eyes and ears from the hearing, I was right beside Renorda Pryor at the defense table, and she clearly asked the Government's witness "Robert Jones" about if I was being obscene at the time and the witness responding by saying no or I don't think he was. I thought that was really important as I knew that was said verbally at that hearing and I know Renorda had brought up that question."

Read the Declaration of Stella Forinash regarding her personally hearing Officer Robert Jones saying under oath that Brian David Hill had not been obscene. See **EVIDENCE ATTACHMENT PAGE 15-17 OF 22**. Stella said in writing under oath: "Attorney Pryor asked Sgt. Jones if Brian was being obscene. His answer was "No". Attorney Pryor asked Sgt. Jones what was in the backpack, and his answer was something like "camera, watch & his clothes". We talked about this on the way home that day, and after we got home, I took notes and sent my notes in PDF format to one of our friends in email on 9/14/2019. We think it's important to

have everything that is in the transcript, and so we paid $388 to get an accurate copy as soon as possible. This copy was sent to our daughter's email."

Read the Declaration of Kenneth Forinash regarding him personally hearing Officer Robert Jones saying under oath that Brian David Hill had not been obscene. See **EVIDENCE ATTACHMENT PAGE 21-22 OF 22**. Kenneth said in writing under oath: "Brian's attorney, Renorda Pryor, asked Officer Robert Jones if Brian was obscene, and his answer was that he was not."

Four different people heard the Officer Robert Jones being questioned by Attorney Renorda Pryor at the hearing say that the Defendant had not been obscene.

This Court can verify this claim by compelling Officer Robert Jones to answer an interrogatory under penalty of perjury, or answer a deposition under penalty of perjury, or be compelled to appear before the Court under oath to answer the question of whether Brian David Hill had been obscene when he was found naked by Officer Robert Jones on September 21, 2018. Hopefully this Officer admits the truth as what he said at the federal court hearing. Defendant hopes that the Officer is truthful so that this entire case can finally be resolved once and for all.

This same officer pushed for the arrest of Brian David Hill on September 21, 2018 (**EXHIBIT PAGE 2-4 OF 337**), claiming under oath that the Defendant was medically and psychologically cleared. That was not true either as evidenced in Element 5, and Element 6. Defendant was not medically cleared. Defendant had not

been properly discharged from the hospital as it was clearly neglect, because the hospital was negligent. Defendant had tried to find an attorney in 2019 to file a lawsuit against Sovah Health Martinsville over medical neglect but was busy fighting the indecent exposure charge and busy fighting the supervised release violation charge, and fighting to not have to go to federal prison, all at the same time. When Defendant did contact a lawyer office to sue the hospital, that lawyer office never contacted him back after doing a conflict-of-interest check. So even if the Defendant had a lot of time in 2019, he couldn't find a pro bono lawyer and couldn't find a lawyer who will not charge Defendant unless he wins the case. They don't even have the time to sit there and look through a pile of papers without it costing them money, time is money in the world of lawyers. Defendant wanted to sue the hospital to prove to the Circuit Court that he was not medically and psychologically cleared due to negligence. Defendant had already proven the hospital didn't clear him properly when comparing the medical records of Sunday, November 19, 2017 (**EXHIBIT PAGE 282-311 OF 337**) and the medical records on Friday, September 21,2018 (**EXHIBIT PAGE 254-260 OF 337**). See the difference between the two medical records on those separate times, It is clear as night and day. The lab work was not done in 2018 hospital visit, but lab work was done in 2017 hospital visit. There is evidence this is clear negligence. It doesn't matter that Defendant was already in the police custody when he was transported

to the Emergency Room, they already had the blood sample or samples of the Defendant, lab tests were already ordered, and then they sat there and deleted them from the chart, and acted like they had no responsibility to conduct the laboratory tests and then put the blame on the police, while Officer Robert Jones said under oath in federal court that "they do lab work and other stuff", with a straight face, as if the police want to blame the hospital if they didn't do the lab work while the hospital put the blame on the police, the blame game here. This is a mind game being played on Defendant depriving him of his right to due process of law. They are playing with Defendant's life, got him wrongfully convicted because of their negligence. Games are being played here by both the police and the hospital. There is clear corruption and fraud here. THAT IS A FACT. Defendant was not medically and psychologically cleared on September 21, 2018, that was a big fat lie.

Defendant was not medically cleared as assumed, Officer Robert Jones assumed lab work was done but didn't check for the lab work, and didn't know that it was deleted from the chart while he stated under oath in the CRIMINAL COMPLAINT that Defendant was medically and psychologically cleared. Plaintiffs either lied or had a disregard for the truth, it is factual fraud on its face with the medical records at hand. You can't just assume something under penalty of perjury when you are an officer charging a person with a crime, and having

them thrown in jail. You cannot make assumptions under oath, it needs to be proven facts, straight up facts. You can ruin somebodies' life especially an innocent man's life by not making sure the facts you allege in an arrest warrant are true. If they are not true then it was a wrongful arrest, under false facts or false pretenses. That is a crime itself, it is FRAUD, FRAUD, FRAUD. It is fraudulent. Any layman or average citizen can understand what fraud is if they have at least been to college or have gone to law school or ever became like an investigator or private detective. This is fraud on its face.

Anyways, I shall file as evidence a printed copy of the very State Bar rule which Glen Andrew Hall, Esquire had violated in addition to not complying with Court Orders. See Rule 3.8 of the Professional Guidelines and Rules of Conduct, Virginia State Bar.

CITATION of EXHIBIT PAGE 217-221 OF 337 (Rule 3.8, Virginia State Bar):

Additional Responsibilities Of A Prosecutor

A lawyer engaged in a prosecutorial function shall:

(a) not file or maintain a charge that the prosecutor knows is not supported by probable cause;

(b) not knowingly take advantage of an unrepresented defendant;

(c) not instruct or encourage a person to withhold information from the defense after a party has been charged with an offense;

(d) make timely disclosure to counsel for the defendant, or to the defendant if he has no counsel, of the existence of evidence which the prosecutor knows tends to negate the guilt of the accused, mitigate the degree of the offense, or reduce the

punishment, except when disclosure is precluded or modified by order of a court; and

(e) not direct or encourage investigators, law enforcement personnel, employees or other persons assisting or associated with the prosecutor in a criminal case to make an extrajudicial statement that the prosecutor would be prohibited from making under Rule 3.6.

The prosecutor Glen Andrew Hall, Esquire had violated Virginia's State Bar rule 3.8, Additional Responsibilities Of A Prosecutor. The destruction of evidence which was subject to three court orders before the destruction of that very evidence, it is illegal evidence destruction, it is spoliation of evidence.

What probable cause exists to sustain a criminal conviction or even waste a Court's time with a trial by jury when the prosecutor who pushed all of this had permitted or maybe even encouraged the destruction of evidence (body-camera footage), charged the Defendant with making an obscene display then later admit that the Defendant was not being obscene, and had wrongly assumed that the Defendant was medically cleared when evidence shows that he was not. The very officer who said Defendant was medically cleared answered under penalty of perjury in federal court that the hospital did "lab work and other stuff" not even knowing that the lab work was ordered and then was deleted from the chart, no lab work was completed, no lab work was done in the medical records, it was deleted from the chart, while the very officer who charged the Defendant said: "they did lab work and other stuff". This is proof of FRAUD; Glen Andrew Hall defrauded the

Court and prosecuted a case which was not backed by the very probable cause necessary to even try to sustain a criminal conviction. They have to be truthful about every material element of the prosecution. If a material element is not true, then there was no probable cause because a criminal conviction cannot ever be sustained as a matter of law. Either the Commonwealth proves every material element of an offense or the very Defendant should be subject to acquittal or motion to strike. That is a matter of Constitutional law in the Commonwealth of Virginia.

Element 3 has been satisfied.

Element 4: The Police officer Robert Jones of Martinsville Police Department had charged him so quickly that it gave him and the Commonwealth Attorney the excuse to ignore evidence and refuse to conduct any further investigation into why Defendant was naked in the middle of the night;

This was also explained in Element 1, for the sake of brevity, Defendant will not reiterate all of the text regarding the evidence and arguments referenced and cited from that specific element. Defendant hereby incorporates by reference, as if fully set forth herein, all of the Element 1 evidence, arguments, and citations.

Defendant had tried to submit evidence to the Martinsville Police Department in 2019 after his release from the jails on both State Court bond conditions and Federal Court bond conditions, the return receipt to restricted delivery certified mail envelope was signed by former corrupt Police Chief G. E Cassady. See **EXHIBIT PAGE 211 OF 337**, with the fax which was faxed to Martinsville Police to pick up

the envelope with evidence. After it was signed for by former Police Chief G. E. Cassady, the envelope was never opened and the evidence was never looked at or investigated. See **EXHIBIT PAGE 214-215 OF 337**. The evidence the envelope was never opened is in photograph on **EXHIBIT PAGE 213 OF 337**. Defendant still has this envelope, still sealed, and not messed with. Defendant has this envelope, sealed envelope full of evidence mailed to Martinsville Police Department, and is willing to turn over this envelope to the Circuit Court and to the Commonwealth Attorney for examination, authentication, and to make copies of it as part of the discovery process. Defendant will not cover up evidence, unlike the corrupt Commonwealth Attorney who covers up evidence.

Defendant was given the envelope of evidence from Attorney Matthew Scott Thomas Clark. That was because that envelope was turned over to the Commonwealth Attorney (CA) who then never opened the envelope and never looked through its contents, refused to look at the evidence inside, and instead gave the envelope to the court appointed lawyer who did nothing with it, never told the Defendant about possessing the envelope to Martinsville Police, never gave Defendant back his mailed envelope until after Defendant had withdrawn appeal. See **EXHIBIT PAGE 212 OF 337**. It said: "Turned over to CA 8/7/2019 1455 hrs.". The Defendant made sure to notify the Police Chief that evidence was being mailed to them, and yet that was disregarded because of Officer Jones charging

Defendant in 2018 within a few hours or less giving them very little to no time to conduct any real thorough investigation into why a man would be found naked running in the middle of the night until the police were called at around 3 AM. See **EXHIBIT PAGE 211 OF 337**. Defendant had said in his fax: "Very Important Evidence. Please sign for it Chief G.E. Cassady…I am sorry that it is restricted delivery but I wanted to make sure that the evidence was picked up by somebody in your Department."

They ignored everything, they ignored the threatening greeting card Roberta Hill had received, the police ignored the threatening emails and threatening text message Brian Hill had received prior to 2018. The Defendant did have proof. When he found out about the carbon monoxide, that evidence was ignored by Martinsville Police. Evidence gets ignored after the Defendant was charged with a crime. They charged him way too quickly without conducting a thorough investigation.

Element 4 has been satisfied.

Element 5: The Police officer Robert Jones of Martinsville Police Department had made statements under oath in Federal Court as to the arrest of Brian David Hill on September 21, 2018, as to him being medically cleared but then the statements start coming out which draw the entire arrest into question that certain elements were not proven and thus the probable cause did not exist for every element of the charged offense.

This was all explained in Element 6, for the sake of brevity, Defendant will not reiterate all of the text regarding the evidence and arguments referenced and cited from that specific element. Defendant hereby incorporates by reference, as if fully set forth herein, all of the Element 6 evidence, arguments, and citations.

Other than what was already explained in Element 6, Defendant had proven that he was not medically and psychologically cleared.

However, Defendant has something to argue additionally to the "incorporates by reference" to Element 6.

Prior to the passage of Virginia law § 19.2-271.6. "Evidence of defendant's mental condition admissible; notice to Commonwealth" in the year of 2021, A Circuit Court was legally allowed to ignore all evidence of a criminal defendant's "autism spectrum disorder", "obsessive compulsive disorder", and any other mental health disorder or neurological brain issues. Now the Circuit Court in this case cannot ignore these issues. The passage of Virginia law § 19.2-271.6 nullifies the Commonwealth's Supreme Court's previous holding of Stamper v. Commonwealth, 228 Va. 707, 717 (1985). Now this Court and even as far as the Supreme Court of Virginia must make new holdings regarding the evidence of Mens Rea "Intent" element of a charged crime for those whom can prove the criminal defendant had autism spectrum disorder and other serious neurological brain issues or mental health issues. Now autism is admissible to this Court, it is

admissible under the general rules of evidence. See Virginia Code § 19.2-271.6(B)(ii) ("…is otherwise admissible pursuant to the general rules of evidence. For purposes of this section, to establish the underlying mental condition the defendant must show that his condition existed at the time of the offense and that the condition satisfies the diagnostic criteria for (i) a mental illness, (ii) a developmental disability or intellectual disability, or (iii) autism spectrum disorder as defined in the most recent edition of the Diagnostic and Statistical Manual of Mental Disorders of the American Psychiatric Association.").

The Officer Robert Jones had given the impression that Defendant was medically and psychologically cleared, but that was not true. Not even psychologically cleared because around that time the only criteria to have not cleared the Defendant was if Defendant had spoken about killing himself or harming himself or killing somebody else or harming somebody else, or if he had spoken of seeing things or hearing things that other people do not see. Unless the Defendant said he wanted to harm or kill somebody or had said he had seen things or heard things that other people do not see while he was out there naked, he would have been treated as if he were cleared from a psychological standpoint but that is not true because the Defendant does have a permanent neurological illness or defect. This cannot be ignored by this Court any longer due to Virginia Code § 19.2-271.6(B) and its subparagraph (ii).

Before I get to the proof of Defendant's autism on record, Defendant did have something which the hospital could have used to have committed/admitted the Defendant to the mental impatient unit from the psychological perspective. Defendant could have been admitted to the hospital if he had said he had seen things or heard things that other people did not see. The Officer Robert Jones didn't do a thorough investigation and the investigation was probably less than two hours if even two hours. See Element 1. Let's say arguably in favor of the Commonwealth that Robert Jones did try to find the man in the hoodie which Defendant spoke of, even though it isn't true because Defendant was charged quickly, let's say Jones took a lot of hours to look for the "man in the hoodie" (See the statements about the "man in the hoodie" from Robert Jones himself, see **EXHIBIT PAGE 4 OF 337**, see **EXHIBIT PAGE 37-38 OF 337**), and still couldn't find the man in the hoodie, then it may have been a sign of mental illness or a hallucination warranting that the hospital had prematurely released the Defendant to Police/Jail and thus Defendant was not truly medically and psychologically cleared as previous assumed by Officer Jones represented by the Plaintiffs through the Commonwealth Attorney. The Defendant had made statements which does sound either paranoid or sounds like he saw things that other people did not see. Let me bring some proof to this Court for its review.

CITATION of EXHIBIT PAGE 38 OF 337 (Redirect -- Sgt. Jones):

Q And did he tell you any other information about the male in the hoodie?
A He proceeded to explain to me that during this time frame, during questioning him and trying to get some more information about that -- he provided more information as to that male subject with the hoodie was working for the people that were -- that had originally been in his original charges.
Q Okay. And did you investigate whether he -- whether there was some threat to his family or anything?
A Talking with him, the time frame didn't really add up to me at that point. We made contact with his -- tried to make contact with his mother that night. I don't know if anybody actually spoke to her. I don't recall.

Sounds like Martinsville Police Department covered their own butts in doing a crappy job (pardon my French your honor) aka a terrible job as an investigator. He should be fired right now for doing a terrible investigative job. They don't even know if a police officer spoke with the Defendant's mother about the Defendant's claims. That right there further proves the claims made in Element 1. Sounds like this officer didn't investigate nothing, meaning he didn't investigate anything. Again, arguing in favor of the Commonwealth's fraudulent case, let's say theoretically Officer Jones did search all day and night for a guy in a hoodie to try to confirm the Defendant's claims and story, and found nothing, then either the Defendant was wrong, was lying, or was crazy. Maybe he saw a hallucination or saw something that other people did not see. He should have been hospitalized, it is clear that the police wanted the Defendant jailed as soon as possible to cover their

butts on their investigative failures and mistakes. When the police screw up and made professional errors or mistakes, they blame the suspect for their problems.

The Defendant had filed a written letter with the U.S. District Court which had indicated paranoia or seeing things that other people could not see, an indication that Defendant was not psychologically cleared as previously assumed by Robert Jones. See the proof:

CITATION of EXHIBIT PAGE 172 OF 337 (STATUS REPORT OF PETITIONER SEPTEMBER 27, 2018, EXHIBIT 7):

(2.)ON SEPTEMBER 18th, 2018, Somebody was in the thicket at the end of my neighbor's property and branches moved whenever I looked in that direction. I was around the period when I was mowing the grass between the time period of 1 to 4PM. That was a tuesday. Likely surveiling me.

It is clear that the Defendant was not psychologically cleared either when he makes statements not many days after being thrown in jail, that he thought somebody was watching him or surveilling him. Again, with no proof, he thinks somebody was spying on him days before he is found naked at nighttime with no medical supplies, no soda cans, no glucose tablets, no diabetic insulin pens of any kind, no long-acting insulin, no cell phone, no blood glucose monitor, and the defendant was just found with a backpack with not even much things in his backpack. Doesn't sound like somebody thinking correctly, doesn't sound like somebody in his right state of mind. Arguably, People who are truly mentally ill will not admit to being mentally ill. People with brain problems will not admit to

having brain problems. The defendant should have been involuntarily committed to the hospital that night instead of being released to "Police/Jail without any laboratory testing to confirm whether he was on something like a narcotic or not or anything. He had Tachycardia for God's sake, meaning a resting blood pulse of over 100 multiple times. Tachycardia times two. See **EXHIBIT PAGE 258 OF 337**.

CITATION of EXHIBIT PAGE 258 OF 337 (MEDICAL RECORDS September 21, 2018, EXHIBIT 18):

Vital Signs:

09/21

04:09 BP 124 / 86; Pulse 119; Resp 19; Temp 98; Pulse Ox 98% Weight 99.79 jt kg; Height 6 ft. 0 in. (182.88 cm); Pain 0/10;

09/21

05:01 BP 119 / 80; Pulse 106; Resp 16; Temp 98.2; Pulse Ox 99% Pain 0/10; jt

That is evidence of tachycardia from his medical records, two different times, this may be worse than his hospital visit on Sunday, November 19, 2017. See **EXHIBIT PAGE 285 OF 337**. Citing: "09:08 BP 131 / 76; Pulse 118; Resp 20; Temp 98.2; Pulse Ox 97%..." and his resting blood pulse went down afterwards to 93 at around 10:59 then 97 on 12:57 military time. His tachycardia had been worse on the day he was arrested for indecent exposure and the hospital refused to even find out why he had tachycardia worse than his last hospital visit the year prior. He was wrongfully discharged from the hospital; he was erroneously discharged from

the hospital. Proof to this Circuit Court that Defendant Brian David Hill was not medically cleared and was not psychologically cleared.

Anyways, here is the proof of Defendant's autism which had been around since the Defendant was a little boy, a toddler, that he had always had autism spectrum disorder since he was very young. Read the Autism TEACCH papers from the University of North Carolina to understand the neurological health issues of the criminal Defendant in this case. See **EXHIBIT 11**'s **EXHIBIT PAGES 196-201 OF 337**.

There is also an issue of fraud on the court regarding the mental evaluation of Brian David Hill by Dr. Rebecca K. Loehrer or Loehner. This fraud also involves collusion of Attorney Scott Albrecht who was a Public Defender in the City of Martinsville. He is part of this fraud and I am going to explain why. See the filed: "(SEALED) EVALUATION REPORT - PSYCHOLOGICAL EVAL-GDC", in the General District Court paperwork filed on January 9, 2019. When she evaluated Defendant, the evaluation report was due November 26, 2018 by 5:00PM, as ordered by the Court. See the "ORDER FOR PSYCHOLOGICAL EVALUATION" filed in the General District Court paperwork.

There was a separate mental health diagnosis by a forensic psychiatrist named Dr. Conrad Daum, who worked for Piedmont Community Service in Martinsville, Virginia. He also heard the Defendant's story about a man in a hoodie

and about court officials working against him in federal court, and Dr. Daum's prognosis was that the Defendant had exhibited a "PSYCHOSIS". Psychosis is a mental health issue but was not known to Dr. Rebecca K. Loehrer or Loehner during the time of her report and evaluation. The diagnosis from Dr. Daum came in around October 24, 2018.

See the filing **EXHIBIT PAGES 141-146 OF 164** in **EXHIBIT 12** for **EVIDENCE FOR MOTION FOR JUDGMENT OF ACQUITTAL BASED UPON NEW EVIDENCE WHICH COULD NOT BE ADMISSIBLE AT THE TIME OF CONVICTION; NEW EVIDENCE OF SPOLIATION OF EVIDENCE COMMITTED BY COMMONWEALTH OF VIRGINIA; REQUEST FOR SANCTIONS AGAINST COUNSEL GLEN ANDREW HALL, ESQUIRE (OFFICER OF THE COURT) FOR VIOLATING COURT ORDERS FOR NOT TURNING OVER BODY-CAMERA FOOTAGE AND IT IS LIKELY DESTROYED AND BIOLOGICAL EVIDENCE OF BLOOD VIALS OBTAINED ON DAY OF CHARGE**. Check with the Clerk for that filing made last year, filed January 20, 2022 by Clerk.

So, Dr. Conrad Daum had diagnosed Defendant as having a psychosis after Defendant directly made statements about the "guy in hodie threatened to kill my mother if I didn't do what he said" in the "Chief Complaint: Notes:" by Dr. Conrad Daum, the forensic psychiatrist. He probably meant hoodie not "hodie". So that

evaluation was directly material evidence to the charge on September 21, 2018, and yet the mental evaluator ordered by the General District Court to conduct the evaluation knew nothing about Dr. Conrad Daum's diagnosis, I mean come on he is a forensic psychiatrist, qualified under the rules of evidence.

Anyways, Public Defender Scott Albrecht was an officer of the Court, and he needs to answer for if he was aware of the mental evaluation by Piedmont Community Services. Only he knows the answers to his own mistakes as an officer of the court at the time. Attorney Scott Albrecht didn't appear to have filed any written motion asking for a mental evaluation at the time in 2018, so it must have been a direct oral motion which would be a verbal motion to the judge or a motion not in the record of the General District Court See the record where the judge checked: "It appearing to the Court, on motion of [CHECK MARK] defendant's attorney". He was ordered by the court to do the following as an officer of the court by the General District Court as this was filed on October 17, 2018, check with the Clerk for this court record:

CITATION of COURT FILING: "ADDITIONAL INSTRUCTIONS TO EVALUATOR(S) AND ATTORNEYS", filed 10/17/2018 and signed by the judge:

The defendant's attorney must provide any available psychiatric records and other information that are deemed relevant within 96 hours of the issuance of this order. Va. Code $ 19.2-169.1(C).

…

2. Sanity at the Time of the Offense: Prior to an evaluation of sanity at the time of the offense, the party making the motion for the evaluation must forward to the evaluator(s)

a. a copy of the warrant;

b. the names and addresses of the Commonwealth's Attorney, the defendant's attorney, and the judge ordering the evaluation;

c... information about the alleged crime, including statements by the defendant made to the police and

"transcripts of preliminary hearings, if any;

d. a summary of the reasons for the evaluation request;

e. any available psychiatric, psychological, medical or social records that are deemed relevant; and

f. a copy of defendant's criminal record, to the extent reasonably available.

Va. Code $ 19.2-169.5(C).

Why did Scott Albrecht not notify the evaluator or the Court about the psychiatric diagnosis of “psychosis” of Brian David Hill when he made statements about “guy in hodie threatened to kill my mother if I didn't do what he said”. This should have been made known to the evaluator by Scott Albrecht. He failed to do his job as an officer of the Court. Not only did the local hospital not admit the Defendant when he made crazy sounding statements, but Dr. Conrad Daum’s diagnosis on October 24, 2018 was never made known to the mental evaluator. That would have been important when making a determination on competency and sanity at the time of the alleged offense charge.

It is fully clear that Officer Robert Jones had lied or made a false material fact and false statement under oath or affirmation in the CRIMINAL COMPLAINT (**EXHIBIT PAGE 4 OF 337**) when he claimed as a material fact in the material element of his charge: "He was medically and psychologically cleared." This is clearly a material element of the criminal charge since it is in the CRIMINAL COMPLAINT which is the basis for the whole charge, was a basis for the Bench Trial in the General District Court, and was a basis for the Jury Trial in this Circuit Court. The entire statement by Officer Robert Jones, sworn as under oath as to being a true and accurate fact. It is not a true and accurate fact. That is wrong or was a lie, or was a blatant disregard for the truth. He never conducted any real thorough investigation, he just charged the Defendant quickly and dropped any further investigation, and just left it up to the lawyers such as the Plaintiffs aka the Commonwealth Attorney for the City of Martinsville.

Element 5 has been satisfied.

Element 6: The Defendant has clear and convincing prima facie evidence that he was NOT medically and psychologically cleared as assumed by Plaintiffs when that is one of the required elements of the charged crime as the CRIMINAL COMPLAINT has that element in the affidavit saying: "He was medically and psychologically cleared."

The Defendant has clear and convincing evidence, prima facie evidence which demonstrates that he was not "medically and psychologically cleared." At the time of his arrest and detainment around a creek.

It is a material element to the criminal offense which covers both the obscenity element and the intent element.

The reason why is that, if that element was not considered important and was not considered essential to the charged crime, then why would the police officer take the time to type in the CRIMINAL COMPLAINT (**EXHIBIT PAGE 4 OF 337**) the very following: "He was medically and psychologically cleared"???

Let us examine why this material element is extremely important in a criminal charge. It isn't just a material element, but it is an essential element to a charge, and may be just as essential as Mens Rea if not more essential than the same.

See https://sullivanlegal.us/rethinking-medical-clearance/ (Disclaimer: Link and information/research provided by Brian's family) Rethinking Medical Clearance by William P. Sullivan, Attorney At Law ("Consider What Is Meant By "Medical Clearance" We should consider the importance and meaning of writing "medically cleared" on any discharge form, whether it is for psychiatric patients, for incarcerated patients, or for a work release. To a layperson, the term "medically cleared" may mean that the patient has no medical problems and no potential to get

worse. To a medical provider, the term "medically cleared" may mean something entirely different. Rather than using the blanket statement that a patient is "medically cleared," which can be subject to interpretation; we could make the limitations of an evaluation in the emergency department more evident… In one case, I was told by the administrator at a psychiatric facility that my patient would not be accepted in transfer unless the chart specifically stated that the patient was "medically cleared.""). See https://www.lawinsider.com/dictionary/medically-cleared (Disclaimer: Link and information/research provided by Brian's family) ("Medically cleared means a determination made within 24 hours prior to admission by the medical director that an individual is physically capable of participating in facility activities and programming and not at risk of medical complications that would be unmanageable by the facility.")

Let us see from the Transcript in federal court what Officer Robert Jones thought of what being medically cleared is?

CITATION of EXHIBIT PAGE 40 OF 337 (Redirect -- Sgt. Jones):

Q Do you recall any tests that were taken that night besides just checking, I believe you said, his knee?
A No, ma'am. Like I said, when we -- we also checked him for mental health issues is the reason why they cleared him psychologically, to make sure there was nothing going on there. Once they do that, they do lab work and other stuff. I didn't ask about his medical history.
Q Was there any tests dealing with his blood alcohol content or anything of that nature?

A I don't know if they did. Like I said, I did not get his records. They normally do, but I do not have that.

Answers by Officer Jones are in the A column and the questions from Attorney Renorda Pryor are in the Q column.

Wait a minute, Officer Jones thought the hospital was conducting lab work, Officer Jones said: "they do lab work and other stuff." So according to his legal definition of being medically cleared when he said so under penalty of perjury, he said that the hospital does "lab work and other stuff". He also said: "They normally do, but I do not have that." Renorda the attorney asked him: "Was there any tests dealing with his blood alcohol content or anything of that nature?" and again the officer said: "I don't know if they did. Like I said, I did not get his records. They normally do, but I do not have that." He said under oath in his own knowledge and expertise that Defendant was "medically and psychologically cleared", said so under penalty of perjury, under oath or affirmation in the CRIMINAL COMPLAINT (**EXHIBIT PAGE 4 OF 337**) and ARREST WARRANT (**EXHIBIT PAGE 2 OF 337**). Defendant shall prove that Officer Jones was lying, was wrong, or had a blatant disregard for the truth.

Officer Jones was wrong about multiple aspects when he claimed Brian David Hill was "medically and psychologically cleared".

The so-called “lab work and other stuff”, it got DELETED FROM THE CHART aka covered up on record, cannot be disputed as it is fact and can be authenticated by the Commonwealth’s Attorney. See **EXHIBIT PAGE 260 OF 337.**

CITATION of EXHIBIT PAGE 260 OF 337 (Medical record):

Ramey, Nicole nmr
Bouldin, Lauren, RN RN lb1
Reynolds, Daniel R RN dr
Corrections: (The following items were deleted from the chart)
09/21
04:48 09/21 04:16 COMPREHENSIVE METABOLIC PANEL+LAB ordered. EDMS
09/21
04:48 09/21 04:16 COMPLETE BLD COUNT W/AUTO DIFF+LAB ordered. EDMS
09/21
04:49 09/21 04:16 CPK, TOTAL+LAB ordered. EDMS
09/21
04:50 09/21 04:16 ALCOHOL, ETHYL+LAB ordered. EDMS
09/21
04:50 09/2104:16 STAT OVERDOSE PANEL+LAB ordered. EDMS
09/21
04:52 09/21 04:52 09/21/2018 04:52 Discharged to Jail/Police. Impression: Abrasion, right knee; Abrasion of unspecified front wall of thorax. Condition is Stable. Discharge Instructions: Medication Reconciliation. Follow up: Private Physician; When: Tomorrow; Reason: Further diagnostic work-up, Recheck today's complaints, Continuance of care. Follow up: Emergency Department; When: As needed; Reason: Fever> 102 F, Trouble breathing, Worsening of condition. Problem is new. Symptoms have improved. bdh
09/21

04:54 09/21 04:16 URINALYSIS W/REFLEX TO CULTURE+LAB ordered. EDMS

Officer Robert Jones didn't know that now, did he??? He thought they did lab work and other stuff, but they didn't. He was too ignorant to even understand what was going on. He quickly arrested Defendant without even investigating any of this. See Element 1 and Element 4 of the STATEMENT OF THE FACTS.

Here is what Officer Jones refused to investigate, failed to investigate, and could have discovered if he had conducted a thorough investigation.

Was Brian David Hill under intoxication at the time he was detained or arrested??? Or was Brian David Hill more slightly out of intoxication but was still intoxicated enough which obscenity and intent could not be possible??? Was Brian David Hill involuntarily intoxicated at the time of the charged offense???

Those theories can never be disproven by the Plaintiffs by and through the Commonwealth's Attorney because the lab results "were deleted from the chart", again see **EXHIBIT PAGE 260 OF 337**. Officer Jones charged Defendant very quickly, way too quickly, and didn't seem to be demonstrating that there was any thorough investigation at all. It was a farce. The Officer didn't investigate anything except just quickly charge Defendant and walk away, to let the Commonwealth's Attorney prosecute his way to victory. However, the evidence being submitted by

the Defendant demonstrates that the essential element of being medically and psychologically cleared was disproven.

Officer Jones didn't know that when he detained the Defendant, the Defendant was asked questions about why he was out there naked while he was **dehydrated** before he was transported to the Emergency Room at the Sovah Health Martinsville hospital. Of course, the medical records will not show proof of this because this was a rush job to just slam Defendant into the slammer aka the jails of the criminal justice system, but the BILLING RECORDS do prove this. It proved that the hospital had failed to conduct the necessary lab tests and didn't even report in the medical records that he had dehydration while the billing record reports things which do support the claim of Defendant being dehydrated. See **EXHIBIT PAGE 87 OF 337** which is **EXHIBIT 3**. There they are, the BILLING RECORDS dated September 21, 2018, the date of Defendant's arrest and supposed medical clearing. Billing records can in many cases be more thorough than medical records, because hospitals have to make a profit or they go bankrupt. When any type of medical equipment, any human service, any materials and medical applicators, anything which costs them money must be documented in the medical bills, every single procedure and every single item used by the hospital when conducting a medical treatment and examination has to be accounted for when it comes to financial medical expenses. Let us take a look.

CITATION of EXHIBIT PAGE 88 OF 337 (BILLING RECORD):

258-IV SOLUTIONS

092118 21B597 0715 170363 J7030 1 IV NACL .9% 1000ML 157.00

SUBTOTAL: 157.00

260-IV THERAPY

092118 23B781 0780 800397 963 60 1 IV HYDRATION 1ST HR 585.00

SUBTOTAL: 585.00

…

270-MED SURG SUPPLY

...

092118 22B696 0718 232295 1 TUBING HEPLOCK 32. 00

092118 22B696 0718 230633 1 CATH IV 66.00

092118 22B696 0718 232137 1 TUBING SECONDARY 21.00

So according to those two entries, Defendant must have been in such bad shape regarding such a need for not just only hydration fluids but also an electrolyte. Can this Court guess which electrolyte Defendant needed and I'm not talking about Gatorade or Powerade??? Yes, I'm talking about NACL .9% 1000ML. What is NACL??? Let us check with the U.S. Government source. (Disclaimer: link and information/research provided by family) https://dailymed.nlm.nih.gov/dailymed/fda/fdaDrugXsl.cfm?setid=51da05ce-e3c4-4ef5-a845-dc869152e17f SODIUM CHLORIDE - sodium chloride injection, solution. ("3% Sodium Chloride Injection, USP is a sterile, nonpyrogenic, hypertonic solution for fluid and electrolyte replenishment in single dose containers for intravenous administration. The pH may have been adjusted with hydrochloric acid. It contains no antimicrobial agents. Composition, ionic concentration,

osmolarity, and pH are shown in Table 1… Sodium Chloride, USP (NaCl)"). See **EXHIBIT PAGES 97-103 OF 337**. Another government report about NACL aka sodium chloride. See https://pubchem.ncbi.nlm.nih.gov/compound/Sodium-chloride (Disclaimer: link and information/research provided by family) **EXHIBIT PAGES 104 OF 337**. "Molecular Formula NaCl or ClNa". Then there is Wikipedia, **EXHIBIT PAGE 159 OF 337**. Shall I go on??? Probably go onto the next issue in this motion for the sake of brevity.

How would the electrolytes and hydration be pumped into the body of Defendant when he was at the hospital the first hour, it would be through CATH IV and TUBING. See **EXHIBIT PAGE 93 OF 337**. Hospitals normally use a peripheral venous catheter, and tubing to the device, as well as bag to add anything they want to it such as medicines, fluids, and even blood transfusions. **EXHIBIT 4** says and I quote: "NIH NATIONAL CANCER INSTITUTE", "peripheral venous catheter (peh-RIH-feh-rul VEE-nus KA-theh-ter) A device used to draw blood and give treatments, including intravenous fluids, drugs, or blood transfusions. A thin, flexible tube is inserted into a vein, usually in the back of the hand, the lower part of the arm, or the foot. A needle is inserted into a port to draw blood or give fluids." This proves that blood was drawn from Defendant at the hospital, then the laboratory tests, blood work or lab work was ordered, but then was deleted from the chart.

Anyways, so Defendant was dehydrated. When Defendant is out on a walking trail for hours and moving down a walking trail for hours, the police found no hydration bottles aka no water bottles and no sodas or anything to hydrate on Defendant when he was arrested. Then after he is in the hospital, he is hydrated by IV fluids and is given an electrolyte. That does prove to this Court that Defendant must have been DEHYDRATED when he was arrested and questioned over his charge of indecent exposure. See the term: "delirium", see **EXHIBIT PAGE 95 OF 337**. Printed by Defendant's family from this source, FROM THE GOVERNMENT, HOW CREDIBLE!!!

https://www.cancer.gov/publications/dictionaries/cancer-terms/def/delirium What is "delirium" exactly???

Citation of **EXHIBIT PAGE 95 OF 337**:

A mental state in which a person is confused and has reduced awareness of their surroundings. The person may also be anxious, agitated, or have less energy than usual and be tired or depressed. Delirium can also cause hallucinations and changes in attention span, mood or behavior, judgement, muscle control, and sleeping patterns. The symptoms of delirium usually occur suddenly, last a short time, and may come and go.

It may be caused by infection, dehydration, abnormal levels of some electrolytes, organ failure, medicines, or serious illness, such as advanced cancer.

Alright, let us take a look at some weird abnormal statements Defendant had made in writing six days after being arrested and sitting in jail. See **EXHIBIT PAGE 171 OF 337**, "STATUS REPORT OF PETITION SEPTEMBER 27, 2018"

Citation of **EXHIBIT PAGE 172 OF 337**:

(4.)On September 20, 2018, Thursday, some of my memories may have been blacked out. I was under an extreme amount of stress and anxiety already due to the pre-filing injunction Motion. My whole family could tell. My mom had also noticed that my doors were not being kept locked, I was psychologically afraid to sleep in my bed. Sometimes sleeping on the couch and I had a bad feeling something bad would happen to me.

Citation of **EXHIBIT PAGE 173 OF 337**:

…At one point I felt like I might collapse so I may have been drugged. I had to keep sitting on benches...

Yet the Officer Robert Jones thought the hospital did "lab work and other stuff", right??? Absolutely false. The lab work was ordered and then was to be deleted from the chart. In fact, let me show you the Affidavit of Brian David Hill in support of this Motion, he has a lot to say under oath, under penalty of perjury.

Citation of **EXHIBIT PAGE 335 OF 337 (DECLARATION)**:

22. As to EXHIBIT 18, EXHIBIT PAGES 253-260 OF 337, is a true and correct complete copy of medical records I obtained from Sovah Health Martinsville which is a hospital. Medical records of the hospital visited dated Friday, September 21, 2018. On the day I received the records or around the time I received the records, I did speak with the hospital records staff or somebody at the hospital records area about any laboratory tests on September 21, 2018. The staff said to me and Roberta Hill that they cannot find any laboratory testing records and said since I was in the custody of the police that it would be the Martinsville Police who would do the lab work. That was what I was told by the staff person at Sovah Health Martinsville on the day which I obtained those records or around the time I received the records, and I had obtained them on "5/17/2019".

Wait, Robert Jones said about the hospital "they do lab work and other stuff." That is a total and complete lie/fabrication. So, the hospital said that the

Martinsville Police had to do all of the drug testing or alcohol testing or any lab testing when the police detained Defendant and transported with him to the Emergency Room in an ambulance. So, they claimed that the police had to do the lab work, while the police said the hospital did the lab work. These are LEGAL MIND GAMES, MUMBO JUMBO COMPLETE GARBAGE. Both sides don't seem to have the lab work here. They don't even know if Defendant was drugged with anything. Not medically cleared, I mean how could they when they never even did the lab work. How could they when they never even did the lab work???

According to Robert Jones, the so-called officer who arrested Defendant, charged Defendant with indecent exposure, a crime, and yet claimed Defendant was medically and psychologically cleared.

See **EXHIBIT PAGE 187 OF 337**, to find out one medical letter from a Medical Doctor as to Defendant's medical history from 2012 in a nutshell. This doctor said from September 6, 2012: "Brian Hill is a current patient at Western Rockingham Family Medicine. He has a diagnosis of Type 1 Diabetes, GERD, Autism, and depression with suicide thoughts.".

Let us ask the credible expert who said Defendant was medically and psychologically cleared, ROBERT JONES!!!!!

CITATION of EXHIBIT PAGE 39-40 OF 337 (Redirect -- Sgt. Jones):

Q Did Mr. Hill -- when you approached him, did he tell you that he had autism?

A He did.
Q And do you guys -- does your -- I would say does your -- does the department train you on how to approach someone with autism?
A We deal with some academy-wise and not much follow-up after that.
Q Did he also tell you that he was a diabetic as well?
A I do not recall him telling me that, no.
Q Did he tell you that he was also OCD?
A Not that I recall.
Q And when you took him to the hospital, did they admit him into the hospital that night?
A No, they cleared him medically and psychologically and released him to us.
Q Okay. Did you get those reports from -- the medical reports?
A No, I did not do a subpoena for his hospital records.
Q Okay. Did you speak to a doctor or anyone regarding his condition or anything of that nature that night?
A We -- other than just checking with him to see if they were going to be releasing him or admitting him, no.

Answers by Officer Jones are in the A column and the questions from Attorney Renorda Pryor are in the Q column.

This officer is clearly a liar or an idiot or both. He is not a medical doctor. Where are his qualifications to make that determination that Defendant was medically and psychologically cleared yet didn't even know the lab work was deleted from the chart??? He says Defendant was medically cleared but knows nothing of Defendant's medical conditions. He knew nothing of Defendant's

DIABETES, TYPE 1 DIABETES. Officer Jones did not know anything, yet he said under penalty of perjury that "they cleared him medically and psychologically", without any laboratory work, without even checking his diabetic blood glucose. The hospital never checked his diabetic blood sugar on the day of Defendant's arrest. See **EXHIBIT PAGE 184 OF 337**. Dr. Balakrishnan of Carilion Clinic said: "This is to certify that Brian Hill is my patient since 11/2014. He has a diagnosis of diabetes, seizures, autism, and obsessive compulsive disorder. One or more of these condition can limit his ability to be in social situation or among people and do work." Was the Defendant truly medically and psychologically cleared as Officer Jones had stated??? He was wrong about the "lab work and other stuff".

What lab work should have been done by the medical standard or legal standard set by Officer Robert Jones who put in the CRIMINAL COMPLAINT that Defendant was medically and psychologically cleared???

See **EXHIBIT PAGES 313-314 OF 337**. A blood sample was obtained from the Defendant aka collected from the Defendant on "07/31/18 1122" That would be on July 31, 2018. Around 11:22 AM military time. Guess what was found???

Abnormally high Red Blood Cell (RBC) count, Abnormally high Hemoglobin level, Abnormally high Hematocrit count, Abnormally high Absolute Mono, and abnormally low Lymph levels. The results were pretty much abnormal

levels without an explanation why. It also said: “COMPREHENSIVE METABOLIC PANEL(COMP) [368602038] (Abnormal)”

On the day of the arrest of Brian David Hill for his charge of indecent exposure, the Defendant, the hospital had also ordered a “04:48 09/21 04:16 COMPREHENSIVE METABOLIC PANEL+LAB ordered. EDMS”, BUT then it was “deleted from the chart”, gone, covered up, bye byes. They could have found abnormal levels in the body of the Defendant at the time the police had found Defendant and detained him, and that would have shown evidence of INTOXICATION. Defendant cannot be guilty of a charge of indecent exposure if any evidence could have been found showing intoxication. Intoxication could nullify both the intent element and the obscenity element or even the intent to be obscene element. Those would be instantly disproven with evidence of intoxication.

Was Brian intoxicated before his arrest or at the time of his arrest??? Unfortunately, we will never know because he was not medically and psychologically cleared as previously assumed by Officer Robert Jones.

Did the hospital ever test the diabetic blood glucose level of the Defendant??? This Court can read through the medical records to find out.

Review over **EXHIBIT PAGES 254-260 OF 337**.

There is no mention of giving any diabetic insulin and no mention of giving any diabetic glucose in case of low blood glucose levels aka low blood sugar.

That's the key word here, LOW BLOOD SUGAR. The hospital did none of that before releasing Defendant to the Police/Jail. They didn't even check his blood sugar, his diabetic glucose level. They just released a type one diabetic to police without checking his blood sugar. Brian could have had a diabetic seizure or foot cramps in the back of the squad car. Defendant could have died in the back of the squad car. That was very stupid of both the hospital and of Robert Jones, very stupid of them to do that. Robert Jones is STUPID for all of the mistakes he had accomplished by ruining an innocent man's life. Got to tell The Innocence Project about this dirty cop. They wanted Defendant charged and arrested so quickly, so fast like they believe they are superman, but they could care less about whether Defendant had any known medical problems/issues or not. How kind of them…How nice of them…Defendant has every right to insult them for all of the harm they caused to the defendant, DEFENDANT IS THE VICTIM HERE.

Did you know that Defendant had also exhibited signs of TACHYCARDIA, meaning abnormal resting blood pulse readings of over 100?

CITATION of <u>EXHIBIT PAGE 258 OF 337</u> (MEDICAL RECORD):

Vital Signs:
09/21
04:09 BP 124 / 86; Pulse 119; Resp 19; Temp 98; Pulse Ox 98% Weight 99.79 jt kg; Height 6 ft. 0 in. (182.88 cm); Pain 0110;
09/21
05:01 BP 119 / 80; Pulse 106; Resp 16; Temp 98.2; Pulse Ox 99% Pain 0/10; jt
09/21

04:09 Body Mass Index 29.84 (99.79 kg, 182.88 cm) jt

Interesting that the Defendant had two abnormally high resting blood pulse readings, and that is technically given the medical term “tachycardia”. However, the nurses were also idiotic on the same day that Robert Jones decided to be “an idiot” and decided to pronounce the Defendant medically and psychologically cleared. Tachycardia means something may be medically wrong with somebody, but according to Robert Jones, everything is A-Okay. Right??? The jury would believe that with the deleted lab tests from the chart??? No blood sugar testing of any kind and tachycardia before being arrested??? A-Okay right Robert Jones??? Right??? He was medically cleared right??? I REST MY CASE on this part.

Let me show you the medical records from the same hospital Defendant was at before he was arrested. Except this is from a different date and time.

Let me take you back to Sunday, November 19, 2017 (**EXHIBIT PAGE 282 OF 337**), when the Defendant was in the Emergency Room, just like being in the Emergency Room on September 21, 2018. Yeah, the circumstances are different, Defendant was not under arrest on November 19, 2017, however Defendant had abnormal metabolic panel aka blood levels just like Carilion Clinic had shown on July 31, 2018, he had Sinus Tachycardia,

CITATION of EXHIBIT PAGE 285 OF 337 (MEDICAL RECORD):

Vital Signs:

11/19
09:08 BP 131 / 76; Pulse 118; Resp 20; Temp 98.2; Pulse Ox 97%
91.63 kg; Height 5 ft. 10 in. (177.80 em);
11/19
09:46
11/19
10:59 BP 124 / 73; Pulse 93; Resp 18; Pulse Ox 100% on R/A;
11/19
12:57 BP 119 / 67; Pulse 97; Resp 19; Pulse Ox 98% on R/A;
09:46 patient has OCD and had to do his "routines" prior to coming, has mkk been about 4 hours since injury occured

Here is the proof, the evidence of Sinus Tachycardia, see **EXHIBIT PAGE 291 OF 337**. Just like the abnormal Basic Metabolic Panel (blood work, lab work) caught by Carilion Clinic. The results are different but those were also abnormally high levels. Abnormally high White Blood Cell (WBC) count, abnormally high Mean Platelet Volume (MPV) count, abnormally high SEGS level, and abnormally high SEG Absolute level.

See the difference between the medical records on Sunday, November 19, 2017 (**EXHIBIT PAGES 282-311 OF 337**) and the medical records on Friday, September 21,2018 (**EXHIBIT PAGES 254-260 OF 337**). It is clear as night and day. The lab work was not done in 2018 hospital visit, but lab work was done in 2017 hospital visit.

Last thing which deserves attention from this Court is the first page of the discharge sheet from the hospital, dated Friday, September 21,2018. See

EXHIBIT PAGE 254 OF 337. The “FOLLOW UP INSTRUCTIONS” had said: “Private Physician When: Tomorrow; Reason: Further diagnostic work-up, Recheck today's complaints, Continuance of care”. So, it said that the Defendant should have seen his medical doctor a day after being discharged from the hospital to Police/Jail. However, the jail never followed the “FOLLOW UP INSTRUCTIONS” from the hospital, on record. See the Defendant’s filed jail medical records filed in 2022 in this Court. Instead, the Defendant was lying on the mat or jail mattress each day, not being lab tested and not even seeing his “Private Physician” as instructed by the hospital in his “FOLLOW UP INSTRUCTIONS”.

The hospital clearly did a lousy job, a terrible job, worthless, terrible, they discharged a criminal Defendant with tachycardia without even being lab tested and without being blood glucose tested before being whisked away to the police to be jailed.

Other issues material to the facts for Element 6 have been explained in Element 5, for the sake of brevity Defendant will not reiterate all of the text regarding the evidence and arguments referenced and cited from that specific element (Element 5). Defendant hereby incorporates by reference, as if fully set forth herein, all of the Element 5 evidence, arguments, and citations.

Element 6 has been satisfied.

ALL ELEMENTS HAVE BEEN PROVEN AND SATISIFIED

The Defendant had demonstrated that all elements of the STATEMENT OF THE FACTS in this Motion had been proven and satisfied to the very letter of the law, to the very facts alleged herein. Defendant wants the truth to come out. The whole prosecution was a joke. The whole prosecution was nothing but a sheer miscarriage of justice against who he knew was an innocent man, with medical problems such as Type 1 brittle diabetes, Autism, OCD, and these are life altering health issues. The prosecutor Glen Andrew Hall's prosecution was tainted with falsehoods. Falsehoods about being medically and psychologically cleared.

Defendant is establishing with his court his proffered adverse inference that he had shown behavioral signs of being intoxicated and was dehydrated at the time he was questioned by Officer Robert Jones on the basis that the body-camera footage was destroyed to cover up this fact. See the Proffered adverse Inference.

This Circuit Court should treat all Elements 1-7 of the STATEMENT OF THE FACTS by Brian David Hill, the criminal Defendant, as having merit.

All Defendant has to prove is fraud on the court to such an extent where the original prosecution was not backed by every essential material element of probable cause and that prosecutor will never be able to prove every material element of the charge he prosecuted because evidence had been destroyed by the

prosecutor or who the prosecutor had represented which would be Martinsville Police Department while under the leadership of Chief G. E. Cassady. A corrupt police chief, doing the bidding of a corrupt malformed prosecution of a case with some defective material elements. This is clearly a fraud.

Defendant states on the record in this MOTION, as the record clearly proved this, that the Defendant never plead guilty when he withdrawn his appeal in the Circuit Court due to circumstances of having a lousy good-for-nothing lawyer who didn't even file any motions to enforce a court order for discovery after they all were not complied with. Defendant clearly had a lawyer so defective, so ineffective, so lazy in his case, that the Plaintiffs clearly got away with destroying evidence and never being compelled to comply with the orders for discovery as mandated by law or as mandated by the Court Rules, and/or as mandated by the Constitution, by the U.S. Supreme Court. Defendant never plead guilty, he only withdrawn appeal because he had a bad lawyer, a lawyer who didn't even do his duty to enforce compliance with court orders. None of his court appointed lawyers had done their duty, this is worse than being ineffective assistance of counsel. The whole defense counsel was defective and done nothing to really demonstrate how fraudulent the very prosecution was. The lawyer could have done any of what Defendant had filed, argued, filed as evidence, testimony, witnesses. The lawyer did none of any of that, these good-for-nothing Public Pretenders calling

themselves Public Defenders. It is clear they are either burdened with so many cases that they do not have the time to effectively represent to fight for every client in the very Court of law they are assigned to, and/or the court appointed lawyers had colluded with the Commonwealth Attorney and if that turns out to ever be proven true of the collusion by doing nothing to push for sanctions or any type of penalty, the Commonwealth Attorney can violate any law he wants, they can probably commit violent crimes and get away with it. They can probably smoke crack and get away with it. The prosecution is allowed to do whatever the heck they want, and that is not Constitutional, that is not due process of law. The law is held to everybody, and everyone. Nobody is above the law.

Olmstead v. United States, 277 U.S. 438, 485 (1928) ("Decency, security and liberty alike demand that government officials shall be subjected to the same rules of conduct that are commands to the citizen. In a government of laws, existence of the government will be imperilled if it fails to observe the law scrupulously. Our Government is the potent, the omnipresent teacher. For good or for ill, it teaches the whole people by its example. Crime is contagious. If the Government becomes a lawbreaker, it breeds contempt for law; it invites every man to become a law unto himself; it invites anarchy. To declare that in the administration of the criminal law the end justifies the means — to declare that the Government may commit crimes in order to secure the conviction of a private

criminal — would bring terrible retribution. Against that pernicious doctrine this Court should resolutely set its face.")

See Strickland v. Washington, 466 U.S. 668 (1984), Hill v. Commonwealth, 8 Va. App. 60, 67-68 (Va. Ct. App. 1989) ("(7) Since its enactment, the Supreme Court has had several occasions to discuss the effect of Code Sec. 19.2-317.1 upon the issue of ineffective assistance of counsel. In Frye v. Commonwealth, 231 Va. 370, 345 S.E.2d 267 (1986), the Court said: In view of the seriousness of a charge of ineffective assistance, counsel is entitled to the opportunity to state his reasons for his acts of commission and omission now subjected to challenge. On the other hand, we will not rule as a matter of law, upon this record, that counsel's conduct was consistent with reasonable trial strategy and therefore was not ineffective. We will not impute to counsel a certain rationale and thereby deny the defendant the opportunity to demonstrate, by evidence which might be obtained in a plenary hearing, that counsel had no such tactical basis for his actions. Id. at 400, 345 S.E.2d at 288; see also Correll v. Commonwealth, 232 Va. 454, 470, 352 S.E.2d 352, 362, cert. denied, 107 S.Ct. 3219 (1987) (a claim of ineffective counsel cannot be resolved on direct appeal "unless counsel charged with ineffectiveness has had an opportunity to defend himself on the record by giving the rationale for his challenged acts of omission or commission"); Beaver v. Commonwealth, 232 Va. 521, 537-38, 352 S.E.2d 342, 351-52, cert. denied, 107 S.Ct. 3277 (1987);

Payne v. Commonwealth, 233 Va. 460, 475, 357 S.E.2d 500, 509, cert. denied, 108 S.Ct. 308 (1987); Payne v. Commonwealth, 5 Va. App. 498, 504, 364 S.E.2d 765, 768 (1987). None of these cases has addressed the issue whether the trial court is permitted to take additional evidence to support an allegation of ineffective assistance of counsel.")

This is fraud, and the court appointed lawyers were okay with the fraud, did nothing to prevent the fraud, did nothing to effectively defend the Defendant against the frauds. Defendant is asserting COLLUSION, that the lawyers Scott Albrecht, Lauren McGarry, and Matthew Scott Thomas Clark are all colluding with the fraud perpetuated by the Commonwealth Attorney for the City of Martinsville which represents the Plaintiffs. They all knew about the Defendant wanting the body-camera footage, they all knew they could have discovered that the Defendant was not medically and psychologically cleared when comparing two separate Emergency Room visits. They could have done this easily and have the Defendant do all of the work, as the Defendant was willing to do all the legwork for his court appointed lawyers, and help his court appointed lawyers, but instead they all colluded to wrongfully convict the Defendant by forcing him to file a motion to withdraw appeal because any pro motions he filed were ignored since they were not filed by Defendant's counsel who did nothing to fight any frauds perpetuated by the prosecutor. It isn't just ineffectiveness to the best of Defendant's belief, he feels

that it is collusion in one way, shape, or form, that the Commonwealth Attorneys don't have to worry about the court appointed lawyers because they just don't do anything to prove the charge was a fraud or had fraudulent elements of guilt if not faulty elements.

There needs an investigation into all of this, by the State Police, by Martinsville Police Department. There needs to be an investigation into all of the garbage and lies by the Government caused by the original arrest. There needs to be an investigation into the destruction of the body-cam footage and the fact that the Commonwealth had not ever complied with the court orders, yet they wanted reciprocal discovery but refused to comply with the Defendant's push for discovery. So one sided. One sided justice is no justice at all, it's a fallacy.

If the Circuit Court is still not convinced, they should hold an evidentiary hearing, ask the Commonwealth Attorney for a response, and appoint a REAL effective attorney to represent Defendant in this case to fully demonstrate factual innocence and the merits of his defense to the criminal charge, that some of the elements of guilt are disproved, and that an adverse inference should be proffered as Defendant was clearly under intoxication in the very body-camera footage destroyed by the Plaintiffs. Convicting an innocent man of violating the indecent exposure statute is a miscarriage of justice. It is a fraud, when more than one element by the prosecutor is proven fraud.

LEGAL ARGUMENTS

It is clear as matter of law that all six Elements in the STATEMNET OF THE FACTS warrant that there does exist a severe case of fraud upon the Court, by the Plaintiffs and with the collusion of or of inaction by any of the defense attorneys allowing the frauds and non-compliance issues and evidence destruction to have taken place. Relief is clearly warranted here under the statutory remedies set by Virginia Code § 8.01-428(D), Virginia Code § 8.01-428(A) AND Virginia Code § 8.01-428(B).

See Code of Virginia, § 8.01-428. Setting aside default judgments; clerical mistakes; independent actions to relieve party from judgment or proceedings; grounds and time limitations.

CITATION of § 8.01-428. Setting aside default judgments; clerical mistakes; independent actions to relieve party from judgment or proceedings; grounds and time limitations.

:

A. Default judgments and decrees pro confesso; summary procedure. Upon motion of the plaintiff or judgment debtor and after reasonable notice to the opposite party, his attorney of record or other agent, the court may set aside a judgment by default or a decree pro confesso upon the following grounds: (i) fraud on the court, (ii) a void judgment, (iii) on proof of an accord and satisfaction, or (iv) on proof that the defendant was, at the time of service of process or entry of judgment, a servicemember as defined in 50 U.S.C. § 3911. Such motion on the ground of fraud on the court shall be made within two years from the date of the judgment or decree.

B. Clerical mistakes. Clerical mistakes in all judgments or other parts of the record and errors therein arising from oversight or from an inadvertent omission may be corrected by the court at any time on its own initiative or upon the motion of any party and after such notice, as the court may order. During the pendency of an appeal, such mistakes may be corrected before the appeal is docketed in the appellate court, and thereafter while the appeal is pending such mistakes may be corrected with leave of the appellate court.

…

D. Other judgments or proceedings. This section does not limit the power of the court to entertain at any time an independent action to relieve a party from any judgment or proceeding, or to grant relief to a defendant not served with process as provided in § 8.01-322, or to set aside a judgment or decree for fraud upon the court.

See Wilson v. Commonwealth, CL-2021-0003146, 2 (Va. Cir. Ct. Apr. 20, 2021) ("After considering the caselaw, pleadings, and oral arguments presented by Counsel, this Court finds that Section 8.01-428(D) applies to criminal cases and that Petitioner Elon Wilson (Wilson) demonstrated by clear and convincing evidence that a fraud was committed upon the Court in obtaining Wilson's guilty plea. As a result, Wilson's Petition to Vacate Judgment is granted, and his conviction is set aside.")

It is a fraud when the Defendant was never lab tested while the Officer Robert Jones who charged the Defendant said lab work was done and other stuff, and said Defendant was medically and psychologically cleared. The Defendant had proven beyond a reasonable doubt, the factual elements 6 and 7, which had proven

that the hospital was neglectful. There is no requirement under law for Defendant to have to sue the hospital to prove neglect. Defendant had proven neglect by providing medical records to this Circuit Court from two different visits to the Emergency Room. Defendant had proven that the officer who arrested the Defendant had no idea as to what was really going on, he was ignorant or was a liar, whatever the case may be. Defendant had proven with clear and convincing evidence that he was erroneously released by the hospital. Defendant should have been admitted, the officer should have known about the lab work. The officer cannot just blindly make claims under oath or affirmation with no evidence or foreknowledge to even back them up. The Officer had no knowledge to be able to state as a fact from his own personal witness foreknowledge whether Defendant was medically cleared or not. A hospital can erroneously release a patient, hospitals do get sued all over the country of America for neglect of patients. Officer Jones had no proof and no complete knowledge to verify for a fact whether Defendant was medically and psychologically cleared or not. Lab work was not done, officer did not know that, he only assumed, because he did not know the truth of what really happened.

It is clear fraud from the very originating criminal charge. The evidence proves it. The Commonwealth Attorney is free to authenticate all evidence, and authenticate the medical records, he is free to contact the hospital. He is free to ask

for the billing records. He is free to investigate this matter, because it is a fraud upon the court perpetuated by the Plaintiffs.

This Court can ask Officer Robert Jones under oath about what he said at the federal hearing or about whether he believes Brian David Hill had been obscene when he arrested the Defendant for the charge of making an obscene display. If he admits that Defendant was not obscene when he filed those papers with the Magistrate Judge and started the whole charge on September 21, 2018, then it is a clear fraud from the very foundation of the criminal charge against the Defendant on September 21, 2018. Defendant had proved fraud in different aspects. This Court clearly has the jurisdiction and authority to throw the entire criminal case out of court, vacate or set aside the judgment, and dismiss the entire case with prejudice. Fraud should not be welcome in a court of law.

It is clear that all **STATEMENT OF THE FACTS** and all arguments made in this motion support the relief sought. Defendant did not plead guilty as evidenced by the judgment of conviction in the Circuit court.

Constitutionally the Virginia Constitution and U.S. Constitution requires that all material elements of a crime must be met with clear and convincing evidence beyond a reasonable doubt before a jury can convict a criminal defendant. Again, Corpus delicti, in Western law, is the principle that a crime must be proved to have occurred before a person can be convicted of committing that crime. The

Defendant is presumed innocent, Defendant was supposed to be presumed innocent until proven guilty beyond a reasonable doubt. All material elements must be met, that is a requirement of case law and constitutional law. All elements of the prosecution have not been met, element of being medically and psychologically cleared has not been met. Elements of obscenity and intent have not been met because the Defendant had not been proven medically and psychologically cleared and will never be proven in this lifetime. The prosecution screwed up big time. Changes need to be made in how prosecutions are done in the City of Martinsville, we need prosecutorial reform. The prosecutors can break any law they want, that needs to change. There needs to be real investigations into all of this.

It is a fundamental miscarriage of justice and is a fraud to convict Defendant any longer in this Circuit Court. The General District Court had no basis to convict the Defendant because all material elements of the offense had not been proven by the Commonwealth Attorney. Any good lawyer worth their salt could have gotten the entire case thrown out and Defendant never would have been convicted of indecent exposure, had he had a lawyer who was like a legal bulldog who will fight tooth and nail to argue every error and issue in the entire case. Martinsville Police had the belief Defendant was medically cleared and mentally/psychologically cleared, had the false belief that Defendant was obscene and intentionally committed an actus reus without any justification, excuse, or other defense. That is

not true. Beliefs under affidavit by Officer Robert Jones do not make them true. Officer Jones had a belief Defendant was medically cleared. A belief does not make it true. Officer Jones must tell the truth, having a belief in something without any proof or knowledge of it is not a fact. It is not a fact that Defendant was medically and psychologically cleared, that is not a fact because it is not true. It is not backed by the medical record of that day. Defendant never received any lab results, Defendant never had his diabetic blood sugar tested, and the officer never knew Defendant was a type 1 diabetic until after Attorney Renorda Pryor had asked him during a federal court hearing.

The U.S. Supreme Court has supported the emphasis that all state courts must not convict people who are factually innocent of a crime otherwise it is a clear and convincing miscarriage of justice and actual prejudice against an innocent person. See Schlup v. Delo, 513 U.S. at 327 — 28. Settles v. Brooks, Civil Action No. 07-812, 18 n.6 (W.D. Pa. Jun. 26, 2008).

See Constitution of Virginia; Article I. Bill of Rights; Section 8. Criminal prosecutions

CITATION: Section 8. Criminal prosecutions. That in criminal prosecutions a man hath a right to demand the cause and nature of his accusation, to be confronted with the accusers and witnesses, and to call for evidence in his favor, and he shall enjoy the right to a speedy and public trial, by an impartial jury of his vicinage, without whose unanimous consent he cannot be found guilty. He shall not be deprived of life or liberty, except by the law of the land or the judgment of his

peers, nor be compelled in any criminal proceeding to give evidence against himself, nor be put twice in jeopardy for the same offense.

See Constitution of Virginia; Article I. Bill of Rights; Section 8. Criminal prosecutions

Section 11. Due process of law; obligation of contracts; taking or damaging of private property; prohibited discrimination; jury trial in civil cases.

"That no person shall be deprived of his life, liberty, or property without due process of law…"

Due process of law requires that this Court act on this motion, due process of law requires that the Commonwealth Attorney be ordered to respond to the claims, arguments, and evidence made in this motion. Due process requires that admissible evidence not be ignored by this Court.

If a judge ignores the evidence, it is a due process violation. See Hunter v. United States, 548 A.2d 806, (D.C. 1988) ("Because the trial court improperly ignored evidence bearing on appellant's competence to enter a guilty plea, we reverse and remand to the trial court for further proceedings.") Lafferty v. Cook, 949 F.2d 1546, 1555 n.10 (10th Cir. 1992) ("the inquiry on habeas is whether the state court denied the defendant his right to due process by ignoring evidence, including evidence at trial"). Raghav v. Wolf, 522 F. Supp. 3d 534, 538 (D. Ariz. 2021) ("Immigration Court violated his due process rights by ignoring evidence of his conditions in India and erroneously applying the law."). James v. Bradley, 19-

870-pr, 2 (2d Cir. Mar. 31, 2020) ("James brought this action alleging that Bradley violated his right to procedural due process by ignoring evidence at the hearing that purportedly showed that the tested urine was taken from someone other than James.").

In regard to Virginia Code "§ 8.01-428(B.) Clerical mistakes." There are plenty of clerical mistakes in the original charge filed on September 21, 2018. It is erroneous too if not considered fraudulent, and even if it was considered fraudulent in some way, shape, or form, then it is still clearly erroneous as a matter of facts to sustain a criminal conviction on fraudulent charge elements. Fraudulent material element of being psychologically and medically cleared on September 21, 2018. That is an error of fact which makes it an error of law. The Officer Robert Jones had said that the Defendant had not been obscene. Roberta Hill said so under penalty of perjury, Stella Forinash had said so under penalty of perjury, Kenneth Forinash had said so under penalty of perjury, and Defendant had said so under penalty of perjury. See Element 3. Robert Jones did not file a factual charge on its merits when the Defendant had not been obscene as admitted by Officer Robert Jones himself. Even if that admission was omitted from the federal court transcript, plenty of witnesses can attest to the claim of Robert Jones that Defendant had not been obscene which that statement had come from the very officer who had charged Defendant at the very beginning without really any thorough investigation.

It is an error of fact that Defendant was “intentionally make an obscene display of the accused's person or private parts in a public place or in a place where others were present.” See **EXHIBIT PAGE 2 OF 337**.

It is an error of fact that Defendant was “was medically and psychologically cleared.” See **EXHIBIT PAGE 4 OF 337**.

Because these errors of fact, the charge against Defendant Brian David Hill is not backed by probable cause necessary to convict the Defendant on his charge. The charge was based on fraudulent elements or erroneous elements or both.

CONCLUSION

1. It is clear that if this Court accepts the adverse inference proffered by the Defendant, then it is considered a fact that the destroyed police body-camera footage would have proven that the Defendant was intoxicated, was dehydrated, and/or had exhibited behaviors which may be an indication of being intoxicated during the questioning of Brian David Hill as to why he was naked. That evidence which was destroyed would have shown Defendant being intoxicated or was not in his right state of mind when Officer Robert Jones had spoken with the Defendant during the activation of his body-camera on his person, on his uniform. The body-cam footage would have shown footage not favorable to the Martinsville Police

Department in how they handled the situation of a person with medical issues including a neurological disability of autism spectrum disorder and Type 1 brittle diabetes. That is what the Defendant is proffering to this Court as a fact of an adverse inference. Defendant is entitled to an adverse inference when the Plaintiffs had not complied with three court orders for discovery evidence materials and had destroyed evidence subject to those three court orders.

2. It is clear that not all elements of guilt which was charged are met, referring to the elements of the charged crime presented by the Commonwealth Attorney Glen Andrew Hall representing City of Martinsville and Commonwealth of Virginia. Defendant was not medically and psychologically cleared as charged. In the body-camera footage it would have shown (under adverse inference) that the Defendant may have been intoxicated with carbon monoxide gas and that claim cannot be disproven due to destruction of evidence and deletion of evidence by the local hospital at no fault of Defendant. Defendant was not with a clean bill of health. The officer didn't even subpoena for medical records but asserted under oath or affirmation in CRIMINAL COMPLAINT page 3 (**EXHIBIT PAGE 4 OF 337**) that Defendant was medically and psychologically cleared. See Element 5 and Element 6. That was a big fat lie as Officer Jones lied under oath or affirmation or was based on an erroneous belief not based on any proven facts. Defendant was not cleared in the aspect of the charge element. Defendant was intoxicated as the lab

work would have shown that, if that piece of evidence not been deleted from the chart of his medical records dated September 21, 2018.

3. Because Defendant was not medically cleared and was not psychologically cleared, intent can never be established even under a trier of fact's broad discretionary powers which such discretion over intent cannot be successfully challenged on appeal alone. However, the evidence that Defendant had psychosis and made paranoid statements and statements of being drugged but lab work which was ordered were deleted by the hospital without a valid explanation or excuse after lab work was ordered on September 21, 2018, on the date of Defendant's arrest. They cannot disprove the carbon monoxide or any toxicity in body of Defendant at the time of arrest as they do not have the laboratory results. Defendant believes the lab tests would have found the levels of carbon monoxide induced intoxication or any kind of intoxication. Intent can never be proven and any reasonable juror would find that intent cannot be proven without first fully medically and psychologically clearing the Defendant with a clean bill of health which would include completed laboratory testing and laboratory results. Since there are no completed laboratory testing and laboratory results, AT THE FAULT OF THE HOSPITAL who gave Officer Robert Jones a false impression or belief that Defendant was medically and psychologically cleared when he in fact wasn't according to the evidence and the passage of Virginia Code § 19.2-271.6 in the year of 2021.

4. Defendant and three other witnesses had heard Officer Robert Jones admit that the Defendant was not being obscene on September 21, 2018. By saying Defendant had not been obscene, this negates the ARREST WARRANT's original claim that Defendant was charged with "intentionally make an obscene display of the accused's person or private parts in a public place or in a place where others were present." Evidence is cited in Element 3.

5. It is clear that with this much fraud by the prosecution colluding with the defense attorneys of the Defendant, to never enforce the Court Orders, the Defendant was never given any opportunity to have been able to review over the police body-camera footage with his lawyer, never was allowed by his lawyer to challenge the material elements of the charged crime, and evidence being destroyed while the attorneys sat there and let it happen. There needs to be relief of some kind, any kind of relief at all to deter this kind of misconduct situation by attorneys on both sides of a case. Attorneys are officers of the court. Scott Albrecht and Glen Andrew Hall never should have let the body-cam footage be destroyed. They never should have pushed a case without investigating whether the prosecutorial elements are factual or fraudulent.

6. It is clear that the Circuit Court has the justification and jurisdiction to annul, or vacate, or void, or nullify, or set aside the criminal conviction which is the very Judgment being challenged in **EXHIBIT PAGE 271 OF 337**, **EXHIBIT**

21, the judgment rendered on November 18, 2019, convicting the Defendant of the crime of "INDECENT EXPOSURE", of Virginia Code 18.2.387.

7. It is clear that the charge had fraudulent elements or faulty elements from the very beginning. It is clear that evidence had proven this. It is clear that the Plaintiffs had not complied with three court orders, the record had proved this, and the evidence further had proven this. The defense attorneys had colluded with the Plaintiffs or had refused to do their duty to enforce compliance with court orders not complied with by the Plaintiffs. There is clear collusion between defense lawyers and the prosecutor on both sides of this case or non-compliance issues by the Plaintiffs not ever held to account by the defense attorneys. There is the issue of spoliation of evidence. The Commonwealth Attorney cannot maintain a charge which he/she knows is not backed by probable cause, according to state Bar 3.8. There clearly exists fraud by the Plaintiffs, all six elements of the STATEMENT OF THE FACTS had proven this by both arguments and evidence citations. A lot of work and research went into this with the help of family. Defendant is here to get to the truth, and the truth is arguably speaking he can never be convicted of the original charge and should never be convicted of this original charge because of the way it was charged, the way it was prosecuted, and what was in the elements by the prosecution. It is majorly erroneous at best, fraudulent at worst.

EXHIBITS LIST

EXHIBITS #	EXHIBIT PAGES #	DESCRIPTION
EXHIBIT 1	1-4	PHOTOCOPY OF ARREST WARRANT AND CRIMINAL COMPLAINT IN GENERAL DISTRICT COURT - 09-21-2018
EXHIBIT 2	5-86	TRANSCRIPT OF THE SUPERVISED RELEASE REVOCATION HEARING BEFORE THE HONORABLE THOMAS D. SCHROEDER UNITED STATES DISTRICT JUDGE; CASE NO. 1:13CR435-1; September 12, 2019 3:37 p.m.; Winston-Salem, North Carolina
EXHIBIT 3	87-91	Billing Record from Sovah Health Martinsville; ADMITTED 09/21/18, DISCHARGED 09/21/18
EXHIBIT 4	92-93	NIH NATIONAL CANCER INSTITUTE, peripheral venous catheter
EXHIBIT 5	94-95	NIH NATIONAL CANCER INSTITUTE, delirium
EXHIBIT 6	96-169	(1) 3% Sodium Chloride Injection, USP; (2) Sodium Chloride _ NaCl – PubChem; (3) Sodium_chloride
EXHIBIT 7	170-181	STATUS REPORT OF PETITIONER SEPTEMBER 27, 2018, RE-MAILED ON OCTOBER 10, 2018
EXHIBIT 8	182-184	EXHIBIT IN FEDERAL COURT RECORD, containing Doctor letter from Dr. Shyam E. Balakrishnan, MD
EXHIBIT 9	185-187	EXHIBIT IN FEDERAL COURT RECORD, containing Doctor letter from Andrew Maier, PA-C

EXHIBIT 10	188-193	DISABLED PARKING PLACARDS OR LICENSE PLATES APPLICATION and a page of a medical record from Carilion Clinic
EXHIBIT 11	194-201	EXHIBIT IN FEDERAL COURT RECORD, containing Autism TEACCH papers
EXHIBIT 12	202-209	URGENT LETTER TO MARTINSVILLE POLICE DEPARTMENT AND CITY OF MARTINSVILLE – FOIA REQUEST and Fax Transmission Tickets
EXHIBIT 13	210-215	Photographs and photo-scans (photocopies) of evidence Martinsville Police ignored evidence envelope, Police Chief G. E. Cassady had signed Return Receipt on August 7, 2019.
EXHIBIT 14	216-221	Printout of Virginia State Bar page, Rule 3.8 - Professional Guidelines and Rules of Conduct - Professional Guidelines
EXHIBIT 15	222-246	Excerpt of: "EXHIBIT 2 for EVIDENCE FOR MOTION FOR JUDGMENT OF ACQUITTAL BASED UPON NEW EVIDENCE WHICH COULD NOT BE ADMISSIBLE AT THE TIME OF CONVICTION; NEW EVIDENCE OF SPOLIATION OF EVIDENCE COMMITTED BY COMMONWEALTH OF VIRGINIA; REQUEST FOR SANCTIONS AGAINST COUNSEL GLEN ANDREW HALL, ESQUIRE (OFFICER OF THE COURT) FOR VIOLATING COURT ORDERS FOR NOT TURNING OVER BODY-CAMERA FOOTAGE AND

		IT IS LIKELY DESTROYED AND BIOLOGICAL EVIDENCE OF BLOOD VIALS OBTAINED ON DAY OF CHARGE"
EXHIBIT 16	247-249	Department of Medical Assistance Services Virginia Medicaid Claims History For Member ID: 690024628015, Member Name: Brian Hill Claims For 11/19/2017 And 9/21/2018
EXHIBIT 17	250-252	Email record: Re: Brian D. Hill asked me to send this email to you about his appealed case
EXHIBIT 18	253-260	Scan of complete medical records of patient Brian David Hill on Friday, September 21, 2018, from Sovah Health Martinsville, scan in both color
EXHIBIT 19	261-263	Email record: Brian D. Hill asked me to send this email to you about his appealed case
EXHIBIT 20	264-269	Email record: Fw: Brian D. Hill request
EXHIBIT 21	270-271	ORDER IN MISDEMEANOR OR TRAFFIC INFRACTION PROCEEDING
EXHIBIT 22	272-280	Three Court Orders. One from General District Court (Case no. C18-3138), two from Circuit Court (Case no. CR19000009-00)
EXHIBIT 23	281-311	Scan of incomplete medical records of patient Brian David Hill on Sunday, November 19, 2017, from Sovah Health Martinsville, scans in both color, and black and white
EXHIBIT 24	312-315	Carilion Clinic medical records of COMPREHENSIVE METABOLIC

		PANEL(COMP) [368602038] (Abnormal)
EXHIBIT 25	316-337	DECLARATION OF BRIAN DAVID HILL IN SUPPORT OF MOTION FOR SET ASIDE OR RELIEVE DEFENDANT OF JUDGMENT OF CONVICTION OF CRIMINAL CHARGE PURSUANT TO VIRGINIA CODE § 8.01-428(D), VIRGINIA CODE § 8.01-428(A) AND VIRGINIA CODE § 8.01-428(B) ON THE BASIS OF FRAUD UPON THE COURT, CLERICAL FACTUAL ERRORS

337 pages total, EXHIBIT INDEX PAGES

EVIDENCE DECLARATION ATTACHMENTS LIST

ATTACHMENTS #	ATTACH. PAGES #	DESCRIPTION
ATTACHMENT 1	5-7	DECLARATION OF ROBERTA HILL IN SUPPORT OF "PETITIONER'S AND CRIMINAL DEFENDANT'S MOTION TO CORRECT OR MODIFY THE RECORD PURUANT TO APPELLATE RULE l0(e)"
ATTACHMENT 2	8-13	DECLARATION OF BRIAN DAVID HILL IN SUPPORT OF "PETITIONER'S AND CRIMINAL DEFENDANT'S MOTION TO CORRECT OR MODIFY THE RECORD PURUANT TO APPELLATE RULE lO(e)"
ATTACHMENT 3	14-19	DECLARATION OF STELLA FORINASH IN SUPPORT OF "PETITIONER'S AND CRIMINAL DEFENDANT'S MOTION TO

		CORRECT OR MODIFY THE RECORD PURUANT TO APPELLATE RULE l0(e)"
ATTACHMENT 4	20-22	DECLARATION OF KENNETH FORINASH IN SUPPORT OF "PETITIONER'S AND CRIMINAL DEFENDANT'S MOTION TO CORRECT OR MODIFY THE RECORD PURUANT TO APPELLATE RULE l0(e)"

22 pages total, ATTACHMENT INDEX PAGES

REQUEST FOR COURT TO PROVIDE EQUITABLE RELIEF AND ANY OTHER RELIEF

Therefore, the Defendant prays that this Honorable Court order the following:

1. That the Circuit Court investigate, then declare or make a factual finding that the Plaintiffs had defrauded the Court (made such a Fraud Upon the Court) based on three fraudulent or erroneous elements (medically cleared, intent, obscenity) of the criminal charge on September 21, 2018 which means that the Circuit Court can make a determination whether one to three elements in the original criminal prosecution are to be considered meritless, frivolous, baseless, and without clear and convincing evidence to support that even in light most favorable to the Commonwealth, the evidence is insufficient to sustain a conviction;
2. That the Circuit Court consider ordering based upon Section 8.01-428(D) and Section 8.01-428(B) that the Judgment on November 18, 2019 be vacated, or

voided, or made void, or set aside or be adjudged as acquitted with case dismissal with prejudice;

3. That the Circuit Court consider the evidence submitted by Defendant in support of this motion to be sufficient for the relief requested in this motion, or order an evidentiary hearing to question Robert Jones over the matter of Defendant not being medically and psychologically cleared as previous assumed because of being neglected by being prematurely released from the hospital;
4. That the Circuit Court consider the evidence submitted by Defendant in support of this motion to be sufficient for the relief requested in this motion, or order an evidentiary hearing to question Robert Jones over the matter of Defendant not being obscene as charged by the officer in the ARRESR WARRANT;
5. That the Circuit Court consider vacatur, voiding, making void, setting aside, nullification of, or modification of the wrongful conviction dated November 18, 2019 (**EXHIBIT PAGE 2-4 OF 337**), and consider acquittal and dismissal of the entire criminal action case with prejudice;
6. That the Circuit Court waive and discharge any and all pending legal fees ever taxed, levied, or ordered against Defendant if the Circuit Court had determined that Defendant was fraudulently and/or erroneously prosecuted against and thus should not be held to pay any fees or fines or any protected SSI disability money since Defendant is innocent;

7. That the Circuit Court waive and discharge any and all pending legal fees ever owed by the Defendant pursuant to all legal matters and cases that had begun from the original charge and prosecution on September 21, 2018, if the Circuit Court had determined that Defendant is innocent because of the fraudulent elements by the Plaintiffs or erroneous elements by the Plaintiffs and thus should not be held to pay any fees or fines or any protected SSI disability money since Defendant is innocent;
8. That the Circuit Court consider providing any other relief or remedy that is just and proper, in the proper administration of justice and integrity for the Court.

Respectfully submitted with the Court, This the 26th day of January, 2023.

Brian D. Hill
Signed
Brian D. Hill

Brian D. Hill
Defendant
Former news reporter of U.S.W.G.O. Alternative News
Ally of Q
310 Forest Street, Apartment 2
Martinsville, Virginia 24112
(276) 790-3505
JusticeForUSWGO.NL or JusticeForUSWGO.wordpress.com

CERTIFICATE OF SERVICE, CERTIFICATE OF FILING

I hereby certify that a true and accurate copy of the foregoing Motion was faxed or emailed/transmitted by my Assistant Roberta Hill at rbhill67@comcast.net (due to Probation Conditions of not being allowed to use the Internet) to have delivered this (1) pleading, (2) along with pleading filename: Evidence_Declaration-1-26-2023.pdf, along with pleading filename: Evidence_Exhibits-1-26-2023.pdf on the 26th day of January 26, 2023, to the following parties:

1. Commonwealth of Virginia
2. City of Martinsville

Again, by having representative Roberta Hill filing this (1) pleading, (2) along with pleading filename: Evidence_Declaration-1-26-2023.pdf, along with pleading filename: Evidence_Exhibits-1-26-2023.pdf on his behalf with the Court, through email address rbhill67@comcast.net, transmit/faxed a copy of this pleading to the following attorneys who represent the above parties to the case:

Glen Andrew Hall, Esq. Commonwealth Attorney's Office for the City of Martinsville 55 West Church Street P.O. Box 1311 Martinsville, Virginia 24114/24112 Attorney for the Commonwealth Phone: (276) 403-5470 Fax: (276) 403-5478 Email: ahall@ci.martinsville.va.us	Hon. Ashby R. Pritchett, Clerk of the Court Circuit Court for the City of Martinsville Phone: 276-403-5106 Fax: 276-403-5232 55 West Church Street, Room 205 P.O. Box 1206 Martinsville, VA 24114 Email: apritchett@vacourts.gov

The reason why Brian David Hill must use such a representative to serve such pleading with the Clerk on his behalf is because Brian is currently still under the conditions of Supervised Release for the U.S. District Court barring internet usage without permission. Brian's Probation Officer is aware of Roberta Hill using her email for conducting court business concerning Brian Hill or court business with the Probation Office in regards to Brian David Hill. Therefore Roberta Hill is filing the pleading on Brian's behalf for official court business. Brian has authorized her to file the pleading. All exhibits or any exhibits with anything printed from any internet based service was printed and researched by Roberta Hill.

That should satisfy the Certificate of Service regarding letters/pleadings during the ongoing Covid-19 pandemic. If the Court wishes to contact the filer over any issues or concerns, please feel free to contact the filer Brian David Hill directly by telephone or by mailing. They can also contact c / o Roberta Hill at rbhill67@comcast.net and request that she forward the message and any documents or attachments to Brian David Hill to view offline for his review.

Brian D. Hill
Signed
Brian D. Hill

Brian D. Hill
Defendant
Former news reporter of U.S.W.G.O. Alternative News
Ally of Q
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Received On 1/26/2023 By User: jnunn Circuit Court Clerk's Office Martinsville, VA Jean P. Nunn, Clerk

EXHIBIT 1

attached to: "MOTION FOR SET ASIDE OR RELIEVE DEFENDANT OF JUDGMENT OF CONVICTION OF CRIMINAL CHARGE PURSUANT TO VIRGINIA CODE § 8.01-428(D), VIRGINIA CODE § 8.01-428(A) AND VIRGINIA CODE § 8.01-428(B) ON THE BASIS OF FRAUD UPON THE COURT, CLERICAL FACTUAL ERRORS"

by Brian David Hill

Case no. CR19000009-00, Circuit Court, City of Martinsville, Virginia

Ally of Q, Former news reporter of USWGO Alternative News
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WARRANT OF ARREST—MISDEMEANOR (LOCAL)

COMMONWEALTH OF VIRGINIA Va. Code § 19.2-71, -72

CR19000009 (5)

CASE NO. C18-3158

Martinsville (CITY OR COUNTY)

☒ General District Court ☒ Criminal ☐ Traffic
☐ Juvenile and Domestic Relations District Court

Martinsville ☒ City ☐ County ☐ Town

TO ANY AUTHORIZED OFFICER:

You are hereby commanded in the name of the Commonwealth of Virginia forthwith to arrest and bring the Accused before this Court to answer the charge that the Accused, within this city or county, on or about 09/21/2018 (DATE) did unlawfully in violation of Section

13-17/18.2-387, Code or Ordinances of this city, county or town: intentionally make an obscene display of the accused's person or private parts in a public place or in a place where others were present.

I, the undersigned, have found probable cause to believe that the Accused committed the offense charged, based on the sworn statements of

SGT. R.D. JONES MPD, Complainant.

Execution by summons ☐ permitted at officer's discretion. ☒ not permitted.

09/21/2018 05:35 AM
DATE AND TIME ISSUED

Courtney D. Reid
☐ CLERK ☒ MAGISTRATE ☐ JUDGE
Courtney D. Reid

case Appealed Please Remove #

CORE May be required

VIRGINIA
In the Office of Martinsville Circuit Court
Clerk's Office.
Received and Filed this the
9th Day of January 2019
at 12:21 P. M.
Teste: [signature] C.

DNA SAMPLE (ON FILE)

ACCUSED:
Hill, Brian David
LAST NAME, FIRST NAME, MIDDLE NAME
310 Forest St Apt 2
ADDRESS/LOCATION
Martinsville, VA 24112

To be completed upon service as Summons
Mailing address ☐ Same as above
☐

RACE	SEX	BORN MO. DAY YR.	HT. FT. IN.	WGT.	EYES	HAIR
W	M	05/26/1990	6' 00"	150	BLU	BRO

SSN [redacted]0319
DL# STATE
☐ Commercial Driver's License

CLASS 1 MISDEMEANOR

☐ EXECUTED by arresting the Accused named above on this day:
☐ EXECUTED by summoning the Accused named above on this day:
☐ For legal entities other than individuals, service pursuant to Va. Code § 19.2-76.

9/21/18 0538
DATE AND TIME OF SERVICE
R Jones, ARRESTING OFFICER
22 MPD 113
BADGE NO., AGENCY AND JURISDICTION
for
SHERIFF
Attorney for the Accused:
Pub Def

Short Offense Description (not a legal definition):
INDECENT EXPOSURE

Offense Tracking Number:
690GM1800003560

FOR ADMINISTRATIVE USE ONLY
Virginia Crime Code:
OBS-3713-01

L

9-21-18
4:00 pm

Hearing Date/Time
10-05-18 (BH)
3:00pm
12-21-18
10:45 am

LOCAL

FORM DC-315 (MASTER, PAGE ONE OF TWO) 07/11

The Accused was this day:
[ ] tried in absence [X] present

[X] PROSECUTING ATTORNEY PRESENT (NAME) Hall

[X] DEFENDANT'S ATTORNEY PRESENT (NAME) Alcalde

[ ] NO ATTORNEY [ ] ATTORNEY WAIVED
[ ] If convicted, no jail sentence will be imposed

[ ] INTERPRETER PRESENT

[ ] Certified pursuant to § 19.2-190.1.

Plea of Accused:
[ ] not guilty [ ] Witnesses sworn
[ ] nolo contendere
[ ] guilty [ ] Plea voluntarily and intelligently entered after the defendant was apprised of his right against compulsory self-incrimination and his right to confront the witnesses against him.
[ ] Plea and Recommendation

And was TRIED and FOUND by me:
[ ] not guilty [X] guilty as charged
[ ] guilty of .....
VCC .....
[ ] facts sufficient to find guilt but defer adjudication/disposition to ..... DATE AND TIME and place accused on probation, §§ 4.1-305, 18.2-57.3, 18.2-251 or 19.2-303.2.
[ ] A separate order for First Offender is attached and incorporated in this order.
[ ] Costs imposed upon defendant.

..... DATE _____ JUDGE

And was FOUND by me to be:
[ ] driving a commercial motor vehicle
[ ] carrying hazardous materials
[ ] I ORDER a nolle prosequi on prosecution's motion
[ ] I ORDER the charge dismissed [ ] with prejudice
[ ] conditioned upon payment of costs and
[ ] successful completion of
[ ] traffic school
[ ] mature driver school, § 16.1-69.48:1.
[ ] accord and satisfaction, § 19.2-151.
[ ] under §§ 4.1-305, 18.2-57.3, 18.2-251 or 19.2-303.2.

[ ] Guilty – upon a violation of a term or condition of a deferred adjudication/disposition.

I impose the following Disposition:
[ ] FINE [ ] CIVIL PENALTY of $ .....
with $ ..... suspended
[X] JAIL SENTENCE of 30 days
imposed, [ ] of which ..... days
mandatory minimum, with ..... suspended
for a period of ....., conditioned upon being of good behavior, keeping the peace, obeying this order and paying fines and costs. Credit is allowed pursuant to § 53.1-187 for time spent in confinement.
[ ] Serve jail sentence beginning .....
[ ] on weekends only
[ ] Work release [ ] authorized if eligible [ ] required
[ ] not authorized
[ ] Public work force [ ] authorized [ ] not authorized
[ ] on PROBATION for .....
[ ] VASAP [ ] local community-based probation agency
[ ] Monitoring by GPS/other tracking device
[ ] DRIVER'S LICENSE suspended for .....
[ ] Restricted Driver's License per attached order
[ ] Ignition Interlock for .....
[ ] RESTITUTION order incorporated
[ ] Restitution payment is a condition of suspended sentence
[ ] COMMUNITY SERVICE ..... hours to be completed by .....
and supervised by .....
[ ] to be credited against fines and costs
[ ] Contact prohibited between defendant and victim/ victim's family or household members
[ ] Other: .....
.....
[ ] Reimburse Commonwealth for investigatory medical fees
[ ] Pay $50 to the Court for Trauma Center Fund
[ ] Bail on Appeal $ .....
[ ] Remanded for [ ] CCRE Report [ ] ..... appealed 12-28-15

DRIVER'S LICENSE/PRIVILEGE TO DRIVE IN VIRGINIA SUSPENDED EFFECTIVE IN 30 DAYS IF FINES, COSTS, FORFEITURES, PENALTIES OR RESTITUTION ARE NOT PAID. Va. Code § 46.2-395.

12-21-2015 DATE _____ JUDGE

Offense Tracking Number: 690GM1800003560

FINE

..... LOCALITY $ —

COSTS

223	LIQUIDATED DAMAGES	
461	FIXED MISD FEE	61-00
462	FIXED DRUG MISD FEE	
001	INT CRIM CHILD FEE	15-00
113	WITNESS FEE	
113	IGNITION INTERLOCK	
113	DUI FEE	
113	DNA	38-00
121	TRIAL IN ABSENCE FEE (233)	15-00
133	BLOOD TEST FEE	
137	TIME TO PAY	10-00
192	TRAUMA CENTER FEE	
202	WITNESS FEE	
217	CT. APPT. ATTY	120-00
228	COURTHOUSE CONSTRUCTION FEE	
234	JAIL ADMISSION FEE	25-00
243	LOCAL TRAINING ACADEMY FEE	
244	COURTHOUSE SECURITY FEE	10-00
	OTHER (SPECIFY): 241	5.00

TOTAL $ 299.00

[ ] Stay of the proceedings pursuant to § 16.1-131.1

..... DATE _____ JUDGE 3652

CRIMINAL COMPLAINT

RULES 3A:3 AND 7C:3

Commonwealth of Virginia

Martinsville
CITY OR COUNTY

[X] General District Court
[ ] Juvenile and Domestic Relations District Court

Under penalty of perjury, I, the undersigned Complainant swear or affirm that I have reason to believe that the Accused committed a criminal offense, on or about

09/21/2018 in the [X] City [ ] County [ ] Town
DATE OFFENSE OCCURRED

of Martinsville

I base my belief on the following facts: (Print ALL information clearly.)

On the above date I responded to the area of Pine St. at the steps for the Dick and Willie Trail due to a naked white male that had been seen running on Hooker St from Church St. Officers were in the area of Hooker St and had not located the male. I walked down the steps to the trail where i herd foot steps coming towards me. I could see a person walking on the trail and they stopped. I signed my light on the male and he turned and ran. He was naked except for his shoes and socks. The male had items in his hand when he ran. I chased the suspect off the left side of the trail down a bank and into the creek. I was yelling stop and show me your hands during the chase. When the male was detained he was read Miranda and started talking about a black male in a hoodie made him get naked and take pictures of himself. He was transported to the hospital due to knee pain. While at the Hospital he stated that he was alone when he took the photos of himself and he gave Ofc. Warnick premising to view his camera. On the Camera was several photo of himself naked around the city. He was medically and psychologically cleared. He was arrested for indecent Exposure. Mr. Hill's clothing was located in his bag. All took place in the city.

The statements above are true and accurate to the best of my knowledge and belief.

In making this complaint, I have read and fully understand the following:
By swearing to these facts, I agree to appear in court and testify if a warrant or summons is issued.
The charge in this warrant cannot be dismissed except by the court, even at my request.

Sgt. R. Jones #220
NAME OF COMPLAINANT (LAST, FIRST, MIDDLE)
(PRINT CLEARLY)

SIGNATURE OF COMPLAINANT

Subscribed and sworn to before me this day.

09/21/2018 05:35 AM
DATE AND TIME

Courtney D. Reid
[ ] CLERK [ ] MAGISTRATE [ ] JUDGE

x

CRIMINAL COMPLAINT

ACCUSED: Name, Description, Address/Location

Hill, Brian David
LAST NAME, FIRST NAME, MIDDLE NAME

310 Forest St Apt 2

Martinsville, VA 24112

COMPLETE DATA BELOW IF KNOWN

RACE	SEX	BORN Mo.	BORN DAY	BORN YR.	HT. FT.	HT. IN.	WGT.	EYES	HAIR
W	M	05	26	90	6	0	150	BLU	BRN

SSN
[redacted]0319

[ ] Complainant is not a law-enforcement officer or animal control officer. Authorization prior to issuance of felony arrest warrant given by
[ ] Commonwealth's attorney
[ ] Law-enforcement agency having jurisdiction over alleged offense

NAME OF PERSON AUTHORIZING ISSUANCE OF WARRANT

DATE AND TIME AUTHORIZATION GIVEN

13-17 Indecent Exposure

EXHIBIT 2

attached to: "MOTION FOR SET ASIDE OR RELIEVE DEFENDANT OF JUDGMENT OF CONVICTION OF CRIMINAL CHARGE PURSUANT TO VIRGINIA CODE § 8.01-428(D), VIRGINIA CODE § 8.01-428(A) AND VIRGINIA CODE § 8.01-428(B) ON THE BASIS OF FRAUD UPON THE COURT, CLERICAL FACTUAL ERRORS"

by Brian David Hill

Case no. CR19000009-00, Circuit Court, City of Martinsville, Virginia

Ally of Q, Former news reporter of USWGO Alternative News
JUSTICEFORUSWGO.WORDPRESS.COM







IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

UNITED STATES OF AMERICA	)	CASE NO. 1:13CR435-1
	)	
vs.	)	
	)	Winston-Salem, North Carolina
BRIAN DAVID HILL	)	September 12, 2019
		3:37 p.m.

TRANSCRIPT OF THE **SUPERVISED RELEASE REVOCATION HEARING**
BEFORE THE HONORABLE THOMAS D. SCHROEDER
UNITED STATES DISTRICT JUDGE

APPEARANCES:

For the Government: ANAND RAMASWAMY, AUSA
Office of the U.S. Attorney
101 S. Edgeworth Street, 4th Floor
Greensboro, North Carolina 27401

For the Defendant: RENORDA E. PRYOR, ESQ
Herring Law Center
1821 Hillandale Road, Suite 1B-220
Durham, North Carolina

Court Reporter: BRIANA L. BELL, RPR
Official Court Reporter
P.O. Box 20991
Winston-Salem, North Carolina 27120

Proceedings recorded by mechanical stenotype reporter.
Transcript produced by computer-aided transcription.G1

INDEX

GOVERNMENT'S WITNESSES: **PAGE:**

SERGEANT ROBERT JONES

Direct Examination by Mr. Ramaswamy 11
Cross-Examination by Ms. Pryor 30
Redirect Examination by Mr. Ramaswamy 35
Recross-Examination by Ms. Pryor 36

DEFENDANT'S WITNESSES: **PAGE:**

JASON MCMURRAY

Direct Examination by Ms. Pryor 37
Cross-Examination by Mr. Ramaswamy 42
Redirect Examination by Ms. Pryor 44

ROBERTA HILL

Direct Examination by Ms. Pryor 45
Cross-Examination by Mr. Ramaswamy 51
Redirect Examination by Ms. Pryor 53
Recross-Examination by Mr. Ramaswamy 54

EXHIBITS

Exhibits:		Identified	Received
G-1	Contact sheet of photorgraphs found on Defendant's camera	17	18
G-2	Map depicting locations of where photographs found on Defendant's camera were taken	19	29
G-3	Photographs of area	20	29
G-4	Photographs of area	21	29
G-5	Photograph of area	21	29
G-6	Photographs of area	22	29
G-7	Roadmap of locations of where photographs were taken	25	29
G-8	Defendant's August 2018 monthly supervision report found on camera	26	29
G-9	Screenshot of properties for Exhibit No. 8	27	29
G-10	Virginia Code Section 18.2-387	28	29

P R O C E E D I N G S

(The Defendant was present.)

THE COURT: All right. Mr. Ramaswamy, good afternoon, sir.

MR. RAMASWAMY: Good afternoon, Your Honor. The Government calls for hearing on a supervised release violation United States versus Brian David Hill in 1:13CR435-1, represented by Ms. Pryor.

MS. PRYOR: Good afternoon, Your Honor.

THE COURT: Good afternoon, Ms. Pryor. How are you?

MS. PRYOR: I'm wonderful, Your Honor. Thank you.

THE COURT: Mr. Hill, good afternoon to you.

Mr. Alligood and Mr. McMurray are here from the Western District of Virginia, welcome, here on behalf of Probation.

We're here today because the petition and the supplemental report allege that Mr. Hill violated the terms of supervision.

Did you receive a copy of the petition and the supplement?

MS. PRYOR: We did, Your Honor.

THE COURT: Have you reviewed those with your client?

MS. PRYOR: I have, Your Honor. And Mr. Hill is actually requesting a continuance of this matter today, Your Honor. I believe it was -- I won't said filed because we don't

have an actual clerk's office here, but I think he did provide it on I believe the 8th floor, Your Honor, and because of the time that he drafted it, it seems like last night, he didn't have an opportunity to file it. So he did provide it to me, a copy, today.

He's asking for a continuance because his matter in state court was actually -- his appeal hearing was continued to December 2. It was in order -- the first hearing that he had, I believe he -- his attorney was released from that. He has a new attorney in state court, and so they continued it out to December 2.

And so Mr. Hill is asking, based on his rights here, that he would like for his hearing to be heard -- in Martinsville, Virginia, to be heard before this hearing today.

THE COURT: So explain to me exactly what is set for hearing in Virginia.

MS. PRYOR: So, Your Honor, he was found guilty of indecent exposure in Martinsville, Virginia. He appealed that matter. That matter was scheduled for --

THE COURT: Let me stop you.

MS. PRYOR: I apologize, yes.

THE COURT: So he's found guilty in the trial court?

MS. PRYOR: He was found guilty at trial, yes, Your Honor.

THE COURT: So he's appealed it to whom?

MS. PRYOR: He's appealed it to their -- which would be their next level, which would be their superior court. In that case, when he went to court on -- I think that was two weeks ago, they continued that matter to December 2 to be heard at that time, and he now has a new attorney.

THE COURT: And what's the nature of that appeal?

MS. PRYOR: It is the underlining matters that are here on this case.

THE COURT: I understand. Is it a de novo review, or is it an appeal?

MS. PRYOR: It would be a de novo review, Your Honor.

THE COURT: All right. What was he found guilty of?

MS. PRYOR: He was found guilty of the charges that he's here for today, Your Honor, which was in violation of indecent exposure. I think it's 137 -- I think it's 20-137, which is indecent exposure. It is a misdemeanor, Your Honor.

THE COURT: According to the petition, it's Virginia Code 18.2-387.

MS. PRYOR: I apologize, Your Honor. That's correct.

THE COURT: All right. Okay. Anything else on that?

MS. PRYOR: That's it, Your Honor. And then, of course, you know, Your Honor, if you would not continue it, we're prepared to proceed.

THE COURT: Well, I've also reviewed apparently today a pro se emergency notice of interlocutory appeal. Are you

aware of that?

MS. PRYOR: That's what I actually have, Your Honor, and I was referencing it as a continuance. Your Honor, I did receive that. I believe it might be couched in the wrong -- in what he's requesting. So, Your Honor --

THE COURT: This one says he's appealing to the Fourth Circuit; is that not right?

MS. PRYOR: That is correct, Your Honor.

THE COURT: What he's appealing?

MS. PRYOR: Your Honor, he is appealing --

THE COURT: I haven't ruled yet.

MS. PRYOR: I know, Your Honor.

THE COURT: Okay. All right.

Mr. Ramaswamy?

MR. RAMASWAMY: As to this -- addressing this motion --

THE COURT: Which "this"?

MR. RAMASWAMY: I'm sorry. There's no file number on it, but the petition for notice of interlocutory appeal, it would appear to the Government he's appealing Document 183, that's in the second paragraph, which is the Court's order on the motion to continue. That was a motion to continue by the defense, which the Court granted and the Government didn't oppose. So it would appear Mr. Hill's attempting pro se to appeal an order that was in the Defendant's favor.

THE COURT: Hold on just a minute.

(Pause in the proceedings.)

THE COURT: Okay. What's your position on the other motion? They want to continue this because he's appealing Virginia -- the court's -- the trial court's determination.

MR. RAMASWAMY: I don't believe there is a motion -- unless it's one made orally, there is a motion to continue.

THE COURT: Do I have a written one?

MS. PRYOR: You do not have a written one, Your Honor. That was an oral motion just now, Your Honor. That's correct.

THE COURT: What's your view on that?

MR. RAMASWAMY: We would oppose, Your Honor. The officer is here under subpoena. The Defendant is here. The supervising officer is also here from Martinsville, Virginia.

THE COURT: Let me ask a question. When did the court in Virginia rule?

MS. PRYOR: Your Honor, do you mind if I get a second just to ask that question?

THE COURT: That's fine. I am going to want to know when he took the appeal, too.

MS. PRYOR: Okay. Yes, Your Honor.

(Ms. Pryor conferred with the Defendant.)

MS. PRYOR: I apologize. Thank you, Your Honor.

Your Honor, he actually was found guilty on

December 21 of 2019. He filed a pro se appeal on December 21, but it was mailed, so they did not have it couched as a pro se appeal until December 26 of 2019 -- I mean, I'm sorry, 2018. I apologize.

THE COURT: Okay. And then when was that scheduled for hearing?

MS. PRYOR: Well, Your Honor, when he did have the first hearing, they then -- he, of course --

THE COURT: When was the appeal scheduled to be heard, the original?

MS. PRYOR: Oh, the original, it was not scheduled until May and then -- that's only because he went off -- and I know that's probably longer than what you are asking me for, but they sent him to Butner for competency. He came back in May. They did couch the first hearing for May, and then they continued that one because he released that attorney. And then in July, he had a hearing, which is the one that you gave us permission to continue to this date for that hearing, but then that hearing was then rescheduled. He has another attorney who is going to be handling that hearing on December 2.

THE COURT: Okay. Well, the motion is denned. The standard before this Court on a potential revocation of a petition is a preponderance standard, which is a different standard. So even if he were found not to be guilty beyond a reasonable doubt in a criminal court, that would not

necessarily preclude this Court from finding him guilty on a preponderance basis because that's the burden of proof. So it is also a late-blooming motion, so on timeliness grounds as well, I am going to deny the motion.

MS. PRYOR: Thank you, Your Honor.

THE COURT: All right. I read this emergency petitioner's notice of interlocutory appeal. To the extent that's even pending before me, it's not an impediment to my moving forward. He's purporting to appeal an order that, as the Government says, was one I granted in his favor, extending him more time to proceed. So he's not been harmed by that order, but, in any event, it's interlocutory.

So are you prepared to proceed?

MS. PRYOR: Yes, sir.

THE COURT: Did you say you reviewed the petition and the supplement with your client?

MS. PRYOR: I did review it with him, yes, Your Honor.

THE COURT: Do you have access to his original presentence report?

MS. PRYOR: I do, Your Honor.

THE COURT: And are you confident that he understands the charges pending against him?

MS. PRYOR: I am confident that he understands the charges that are here today.

THE COURT: All right. Mr. Hill, I need to speak with you for a moment, if you would stand, please, sir.

How are you this afternoon?

THE DEFENDANT: I'm all right.

THE COURT: Good. Did you receive a copy of the petition and supplement?

THE DEFENDANT: I did.

THE COURT: Did you review those with Ms. Pryor?

THE DEFENDANT: Yes.

THE COURT: Do you understand the charge against you?

THE DEFENDANT: I am.

THE COURT: You may have a seat, sir.

The allegation in the petition is that Mr. Hill was arrested by the Martinsville, Virginia Police Department for a misdemeanor indecent exposure on September 21, 2018. He reportedly was running around a public park nude at the time.

Does the Defendant admit or deny this allegation?

MS. PRYOR: He denies, Your Honor.

THE COURT: All right. Is the Government prepared to proceed?

MR. RAMASWAMY: Yes, Your Honor.

THE COURT: All right. You may call your witnesses.

MR. RAMASWAMY: Thank you. The Government would call Robert Jones.

SERGEANT ROBERT JONES, GOVERNMENT'S WITNESS, being first duly

sworn, testified as follows at 3:48 p.m.:

THE COURT: Before you begin, give me a chance to look at one thing.

MS. PRYOR: Your Honor, may I have just one moment with my client?

THE COURT: Yes, you may.

(Ms. Pryor conferred with the Defendant.)

THE COURT: Okay. I was just confirming that it's Docket Entry 176, that the U.S. Court for the Western District of Virginia in Roanoke did, in fact, find Mr. Hill to be competent. That appears to be the case.

MS. PRYOR: That is correct, Your Honor.

THE COURT: Thank you. All right.

Mr. Ramaswamy, you may proceed, sir.

DIRECT EXAMINATION

BY MR. RAMASWAMY

Q Would you state your name and occupation for the record, please.

A Robert Jones, patrol sergeant in the Martinsville City Police Department.

Q How long have you been with the Martinsville PD?

A Just over 17 and a half years.

Q And were you on duty on September 21st of last year?

A I was.

Q And what were your duties on that date?

A I was the supervisor for the patrol shift that evening.
Q Did you receive a call from dispatch that evening?
A We did.
Q What was that call in reference to?
A Radio traffic came across as a male subject with no clothes on running down the side of the street at Hooker Street near the Henry County Public Safety building.
Q And what did you do in response to that call?
A Several of the officers that work for me went to that area and were trying to locate that individual. I came from another part of the town. As I came across, they were not having any luck locating him. I went to an area of Pine Street. At the dead end section of that, there is a set of steps that go onto the walking trail that connects where the individual was first seen to where I was coming from.
Q You mentioned Hooker Street was the original place of the report; correct?
A Correct. It's Hooker Street and Church Street there at Burger King. It's an intersection right there at that area.
Q You mentioned the walking trail. What's the name of that trail?
A It is the Dick and Willie Trail.
Q And do you know approximately how long that trail is?
A It's several miles long.
Q And in reference to Martinsville, where does it go in

reference -- is it remote or is it residential or a mixture?
A A mixture.
Q I believe you said you went to a set of steps near Pine Street; is that correct?
A Yes, sir.
Q Would you tell the Court what happened next?
A I went down the steps around the edge of the intersection there where the trail splits off back towards the direction where the individual had been seen. As I was coming up the trail, I could hear footsteps coming towards me; at which point, I stopped to see if the individual would come closer to me before I made contact.
Q On that trail, is that trail open at night?
A It is.
Q Is it a park?
A It's a walking trail that goes from the county through the city back out into the county.
Q And you said you heard the footsteps before you saw someone?
A Correct.
Q Did you eventually see someone?
A I did.
Q Did you see him -- did you have a flashlight?
A I did.
Q Did you see him by your flashlight or by other light?

A By my flashlight.
Q And do you see the person that you saw that night?
A I do.
Q And is he in the courtroom?
A He is. It's the Defendant sitting at the table with his attorney.
Q Mr. Hill?
A Correct.
Q Describe Mr. Hill when you saw him.
A When I shined my light on Mr. Hill, he was completely naked other than a backpack, his tennis shoes and socks, and a stocking cap.
Q How far away was he when you first saw him?
A About the length of the courtroom.
Q And when you -- after you saw him, what did you do?
A I yelled at him to stop. When I shined my flashlight on him, he took off, which would have been where I was facing to my left into the wood line and down the hill into the creek.
Q Did you see him holding anything?
A He did. He had a yellow flashlight in his hand and then also another black object, which was later found to be another flashlight in his other hand.
Q I'm sorry. After he ran down the hill and into the wooded area, did you pursue?
A I did.

Q Describe that for the Court, please.
A We run through the brush, through the thicket down into the creek; at which point, he jumped over a log into the creek.
Q Was he still holding the objects?
A One of the objects had fell. The small black flashlight had fallen. That was picked up by one of the other officers that came to assist me.
Q And what did you do next?
A He was handcuffed at that point and was walked out of the wooded area back to the patrol cars that met us at -- off of Hooker Street on one of the side streets.
Q You mentioned two flashlights in a backpack. Did he have anything else with him?
A Yes, there was -- in his backpack was located a camera.
Q Did Mr. Hill make any statements to you at that time?
A He was complaining of knee pain; at which point, we transported him to the hospital to get him checked out to make sure he was okay. While there, he proceeded to explain to me that the reason he was out there like that was because a male subject -- a black male in a hoodie had threatened him and forced him to take pictures of himself.
Q What -- did he gave any more detail than that, a black male in a hoodie forced him to take photos?
A He did. He said that the male subject threatened him and his family and told him that he needed to take these photos of

himself naked; otherwise, they were going to hurt his family.
Q Did he make any statement as to whether or not this person knew his family?
A When questioning him if the male subject was with him when he took the photos and stuff that were on the camera, he stated he was not with him. And when questioned about that and why he didn't come to see us and asked him -- he proceeded to explain to us that this subject was working for law enforcement and other individuals in reference to his prior charges.
Q So it was a story that his original child pornography charge -- that this unknown person was somehow affiliated with that charge?
A Correct.
Q What did he say about the camera itself?
A He said that the -- originally said that the male subject had given him the camera to go take the photos. I had seized the camera during this time. A search warrant was issued for it, and on the camera card -- on the SD card inside the camera was a Word document that belonged to Mr. Hill.
Q Were there other things on the camera card?
A Photos from that evening.
Q Did he say what he was supposed to do with the camera after he took these pictures?
A He did. He was supposed to leave it on one of the benches on the walking trail.

Q Now, did you obtain a search warrant for the contents of the camera?
A I did.
Q And did you later find the photographs and document you mentioned on the camera?
A Correct.
MR. RAMASWAMY: May I approach?
THE COURT: Yes.
BY MR. RAMASWAMY
Q Officer Jones, I'm going to show what's marked as Government's Exhibit 1, which is a two-page exhibit, a contact sheet. Do you recognize what's on Government's Exhibit 1?
A Yes. These are thumbnails of the photos that were found on that card.
Q I'm going to ask you to look at Government's Exhibit 1, and on the photographs themselves, does there appear to be a time/date stamp?
A It is.
Q Is that time/date stamp consistent with the day that the incident occurred?
A It is.
Q And also below each photograph is some text that begins with the word "Sanyo," and the first one at the top left of Government's Exhibit 1 says sanyo001.jpg. Do you know what that is?

A That's the -- normally, that's the stamp that the camera puts onto the card for the photo that's stored on it.
Q So that's the file name for each of the photographic files on the camera?
A Correct.
Q Is what's shown in Government's Exhibit 1 all of the photographs found on Mr. Hill's camera?
A Yes.
Q And I know there are --

MR. RAMASWAMY: I would ask that Government's Exhibit 1 be admitted, Your Honor.

MS. PRYOR: Your Honor, we have no objection. Just ask that it be sealed because of the nature of it.

THE COURT: All right. It's admitted.

BY MR. RAMASWAMY

Q I'm going to ask you about Government's Exhibit 1 in relation to this trail, the Dick and Willie Passage. In your further investigation or knowledge, were you able to determine whether these photographs were taken in reference to that trail?
A Further investigation from the initial incident, it looks like all of these were taking place at the Greene Company right behind the Mexican restaurant right in that area, Virginia Avenue, Memorial Boulevard, and Commonwealth Boulevard.
Q What type of area is that?

A It's the Wal-Mart -- it's our Wal-Mart intersection. There's several restaurants, a gas station right here in this little area, along with a hotel there as well.
Q In terms of Martinsville, or Henry County, is it -- how would you describe it in terms of car traffic? Foot traffic?
A Heavy traffic.
THE COURT: Any objection to sealing these, given the nature of them?
MR. RAMASWAMY: I don't have any objection.
MS. PRYOR: Thank you.
THE COURT: I'll order that they be sealed, that is, Government's Exhibit 1.
BY MR. RAMASWAMY
Q It's Detective Jones; correct?
A Sergeant Jones.
Q I'm sorry.
A No problem.
Q Sergeant Jones, I'm going to show what's marked as Government's Exhibit 2. Do you recognize Government's Exhibit 2?
A Yes, sir.
Q In Government's Exhibit 2 is a map, arrows, and some text. Have you previously reviewed this in relation to the photographs and file names?
A Yes, sir.

Q And as it describes in numbered sequence one through five, does that accurately show, as to the files in Government's Exhibit 1, the locations where those photographs were taken?
A Yes, sir. These are consistent with the photographs.
Q Those photographs I mentioned before have a time stamp; correct?
A Correct.
Q And for the record, on Government's Exhibit 2, on the first number there, under No. 1, when do the photographs begin, as far as the time stamp?
A At 12:29 a.m.
Q Sergeant Jones, I'm showing you what's marked as Government's Exhibit 3, and I want you in reference to -- what does Government's Exhibit 3 show?
A This is photographs of the Greene Company from Virginia Avenue over the bridge, along with the beginning of the walking trail there for parking, the bike rack, and the little bulletin board there at the beginning of the trail.
Q You mentioned that bike rack and bulletin board. That's approximately in the center of the large photograph; correct?
A Correct.
Q And the bike rack is that the green --
A Just the little -- right beside the green trash can and bulletin board.
Q Do you see those same -- that bulletin board and bike rack

and trash can in Government's Exhibit 1, in those photographs?
A Yes.
Q And I'll show you what's marked Government's Exhibit 4. Again, another large photograph in the daytime -- taken in the daytime. Do you recognize that?
A Yes, sir. That is the backside of the Greene Company and their parking lot, along with the Taco Bell old truck -- transfer truck that they have there.
Q That says Taco Bell?
A Minus a few letters.
Q Okay. On the second page of Government's Exhibit 1, is there are also a Taco Bell truck with the B and final L missing from Bell?
A Correct.
Q Is that what you were able to determine was the location of the photographs shown on the back -- the second page of Government's Exhibit 1?
A Yes, sir.
Q I'll show you what's marked Government's Exhibit 4 -- Government's Exhibit 5. Would you tell us what's shown in that photograph?
A That is the intersection for the Commonwealth, Virginia Avenue, Memorial Boulevard intersection.
Q And that's a photograph taken in the daytime; correct?
A Correct.

Q Now, in relation to Martinsville, Henry County -- well, strike that.

Is that the same intersection that has the Wal-Mart on the one side and other businesses on the other?

A Correct.

Q In relation to Martinsville and Henry County, how busy of an intersection is that? Is it a -- it's in the top?

A It's one of our busiest intersections for that area.

Q I am going to show you a photograph marked Government's Exhibit 6.

MR. RAMASWAMY: And I have no objection if counsel moves to seal this one as well, Your Honor.

MS. PRYOR: That would be my request, Your Honor.

THE COURT: All right. It's granted.

BY MR. RAMASWAMY

Q I have some questions related to Government's Exhibit 6. What is shown in that exhibit?

A This is the grassy section just up from the intersection behind the gas station. The Wal-Mart intersection is here with the stoplights. The signs for all the stores down there in the strip mall just below Wal-Mart is here in the smaller, lower right-hand corner.

Q And you're pointing to the lower right-hand corner of Government's Exhibit 6. Is there also a yellow sign with a semicircular top about in the center near the bottom?

A Yes, sir.
Q What business is that?
A That's one of the businesses right here on the main strip. I think it's a Midas or Monro, something to that effect, and then Hill Chiropractic is right there as well.
Q Is that a tire store?
A Correct.
Q And is that visible? Is this intersection visible in Government's Exhibit 5?
A Yes, sir. It's right here.
Q And you're pointing to -- in Government's Exhibit 5, on the right, you're pointing to where there's a Lowe's sign, in between the Lowe's and the Wal-Mart?
A Right. The Hill Chiropractic sign is here just at the stoplight, the Monro Muffler shop is here, and the Wal-Mart intersection is all right there together.

MS. PRYOR: Your Honor, do you mind if I move closer just so I can see where they're pointing? I am unable to see it from here.

THE COURT: Why don't you hold it up so counsel can see it.

THE WITNESS: The Wal-Mart intersection is here where the blue sign is. We've got the yellow building, which is the muffler shop, tire shop there, and then just past that one with this other brick building behind it is the Hill Chiropractic

building.

BY MR. RAMASWAMY

Q I have a couple more.

Directly -- is Mr. Hill shown in this Government's Exhibit 6?

A He is.

Q In the space between his arm, is there a sign visible?

A It is.

Q Do you see that same sign in Government's Exhibit 5?

A Yes, sir.

Q What sign is that in Government's Exhibit 5?

A It's the Mexican restaurant sign, the El Parral.

Q And do you also see behind Mr. Hill in Government's Exhibit 6 what appears to be a yellow curb?

A I do.

Q Do you see that yellow curb in Government's Exhibit 5?

A I do. That is actually the Stultz Road intersection.

Q Can you tell on Government's Exhibit 5 the vantage point from which Government's Exhibit 6 was taken?

A That appears to be the grassy section behind the gas station, which is Fast Fuels.

Q I'm going to give you a pen. If you would mark on there, if you're able.

A Fast Fuels would be up here just out of camera view, and it would be down here in this corner in Photo 6.

Q So you placed a small dot on each photograph, which is the apparent vantage point on Government's Exhibit 5 from which this photo was taken; correct?
A Correct.
Q Do you see anything other than the store lights in Government's Exhibit 6?
A Yes, sir. There appears to be taillights from a vehicle passing at the intersection.
Q And that is on the photograph just to the right of the Defendant's leg with the black sock?
A Correct, which would be roughly two-thirds down the page, middle of the page.
Q In relation to this trail, do you -- strike that.
Let me show what's marked as Government's Exhibit 7, and I ask you to take a moment and look at that.
Have you seen that exhibit before?
A I have.
Q Would you describe what's in the exhibit?
A It's a roadmap of the city and locations of where the photos were originally started and a location of the time of the original call that we received from dispatch and approximate arrest location.
Q So there's four annotations on here. This 310 Forest Street, do you know what that is?
A That's down where the suspect lived, Mr. Hill.

Q And everything -- as far as the photographs, were those taken where it says photos taken here, 12:29 to 1:20 a.m.?
A Correct.
Q And I may not have asked you the time that the call came in to the police, but do you know what time that call came in?
A It was 3:12 in the morning.
Q And is this -- can you review the place where it says "arrest"? Is that accurate as to the place to which the Defendant was arrested?
A Yes, sir.
Q The distance between where the photographs were taken and where it shows the 911 call location was made, can you tell even approximately what distance was that?
A It's a couple of miles.

MR. RAMASWAMY: One moment, please.

THE COURT: Sure. While you're going through that, just so counsel has an idea, I can go until about 5:15 today. So if you think you need to go beyond that, we'll have to make arrangements.

MR. RAMASWAMY: I don't anticipate -- thank you, Your Honor. I am sorry to interrupt. I don't anticipate more than two other exhibits, and my evidence will be all through this witness.

THE COURT: All right.

BY MR. RAMASWAMY

Q I'm going to show you a four-page exhibit marked as Government's Exhibit 8, and I ask that you take a moment and look at that, please.

Sergeant Hill [sic], can you tell -- have you seen Government's Exhibit 8 before?

A I have.

Q What is it?

A It's the document that was found on the SD card in printed version that belonged to Mr. Hill that was on the camera when we did the search warrant.

Q So this document was on the same card as the photographs?

A Correct.

Q And I will show what's been marked as Government's Exhibit 9. I'll ask that you take a look at that.

In your examination of the contents of the camera card, did you observe the properties for that four-page document I just showed you?

A I did.

Q And is this a screenshot of the properties?

A It is.

Q And under the author, what does it say?

A Brian D. Hill.

Q Did you ever see anyone else on the trail that night besides Mr. Hill?

A No, that's the only person that I came into contact with.
Q Other than September 21, were you -- of last year, were you aware of other calls in reference to a naked person on that trail or in that area?
A We have had other calls in the city in reference to a white male running naked with a stocking cap on, which was consistent with Mr. Hill.
Q Did you get similar calls after Mr. Hill was arrested in this case?
A We've had, I know, two other calls for indecent exposure incidents, but they were both identified as not being Mr. Hill.
Q And you mentioned he was -- he was charged with indecent exposure; correct?
A Correct.
Q Are you familiar with the Virginia statute?
A Yes, sir.
Q I will show you what's been marked as Government's Exhibit 10, and ask that you take a look at that and see if you recognize that.
A Yes, sir.
Q What is Government's Exhibit 10?
A That is a printout of our state statute for indecent exposure.
Q And that's under your Virginia Code Section 18.2-387; correct?

A Correct.
Q That's what Mr. Hill was charged with?
A He was charged under our local statute, which mimics this just for funding purposes.
Q There was mention before about a trial. Was that a bench trial?
A Yes, sir.
Q So the current matter on appeal was on appeal for jury trial; correct?
A It was slated for a jury trial, yes, sir, it was.
Q Do you know when that was set for trial?
A It was a couple of weeks ago. It was continued. I'm not sure of the exact date. I don't have my calendar.

MR. RAMASWAMY: I have no other questions.

THE COURT: All right. Are you moving any of these in?

MR. RAMASWAMY: I'm sorry. I believe I moved for Government's Exhibit 1. For the remainder of the exhibits, we'd asked that they be admitted, and I believe two of them are under seal, Your Honor.

THE COURT: Any objection?

MS. PRYOR: No objections, Your Honor.

THE COURT: They are admitted, and Exhibit 1 and Exhibit 5 are under seal.

Ms. Pryor, any questions?

MS. PRYOR: Yes, Your Honor.

CROSS-EXAMINATION

BY MS. PRYOR

Q Can you tell us -- I believe you stated that the call came in around what time?

A Around 3:12 in the morning.

Q And was that the only call that you received?

A It was.

Q Okay. And at 3:12 in the morning, are any of the places that's on the map, I believe Taco Bell, the Mexican restaurants -- are those places open at that time?

A The Greene Company that has the Taco Bell delivery truck is not open at that point. The Wal-Mart at that intersection is still open. Other than -- as far as the Mexican restaurant and the other restaurant right on the corner, they are not.

Q I believe there is a Roses as well on that corner as well?

A Correct.

Q And Lowe's as well?

A Yes.

Q And are those open at that time in the morning?

A No, ma'am.

Q And when you did proceed to arrest my client at that time, how many people were around at that time?

A It was me and him when he was placed in handcuffs in the woods. Another officer was coming down to us but had not made

it to us at that point.
Q Was there anyone on the trail at that time?
A I did not make any contact with anybody else at that time.
Q And you said what when you approached him? He was -- that he did -- he did lead you on a pursuit?
A Correct.
Q Do you recall about how long that pursuit was?
A It wasn't far. He made it to the bottom of the hill through the vines and brush and, like I said, jumped over a log into the creek out of my sight, which I was trying to give him commands to show me his hands at that point.
Q And you didn't see anyone when you were on that pursuit?
A No.
Q At the time -- these photos are clearly taken during the daytime with many cars, of course, on this, but at 3:12 a.m. when you were traveling, based on that call, did you see -- about approximately how many cars was on the road at that time?
A This was not at -- when he was taken into custody, it was not at that intersection. It was farther up the trail towards the other side of the city.
Q Okay. So farther up the trail -- are there any restaurants farther up that trail?
A That actually comes out to another intersection where there's restaurants, some other businesses, and stuff like that. Those were not open during this particular time. It

proceeds up past the access for the hospital and continues on out to the Public Safety building, which is -- somebody's staffing that 24 hours a day.

Q Okay. And you said that the caller, based on the diagram on -- I believe that's Government's Exhibit No. 7. The caller that called in at 3:12 a.m., that was near I believe -- that looks like a Burger King; is that correct?

A Correct. Right there at that intersection for the Burger King is a 24-hour laundromat and just around -- if you take a right from there, you are in sight of the CVS that's open 24 hours a day.

Q And that's not pictured here on Exhibit No. 5; correct?

A No.

Q And when you approached -- or when you did ask him to stop, did you have on your uniform at the time?

A I did.

Q And did you tell him that you were police at the time?

A I do not recall if I actually said I was police or not when I told him to stop; at which point, he went straight into the woods, and I began chasing him.

Q And once you did arrest him, you said that he had a flashlight and a book bag, and I believe you said one other item?

A There was a backpack on him. He had a large flashlight, like a square battery one, in his hand, and he also dropped a

small black flashlight while running.
Q And you were able to recover all of those things?
A We did.
Q Did he voluntarily provide you with his camera as well?
A He did. When he was explaining the situation, his first story as to what had -- the reason why he was out there that late, he gave us permission to look at -- one of the officers to look at the photos, and that's how we came about those.
Q Okay. And one of the things that he said at the time is that there was a male that was in a hoodie, that he was told that he had to take those pictures?
A Correct.
Q And did he tell you any other information about the male in the hoodie?
A He proceeded to explain to me that during this time frame, during questioning him and trying to get some more information about that -- he provided more information as to that male subject with the hoodie was working for the people that were -- that had originally been in his original charges.
Q Okay. And did you investigate whether he -- whether there was some threat to his family or anything?
A Talking with him, the time frame didn't really add up to me at that point. We made contact with his -- tried to make contact with his mother that night. I don't know if anybody actually spoke to her. I don't recall.

Q Okay. But as part of your investigation, have you been able to find out whether there were some threatening matters that was sent to him or his family?
A I have not heard anything of that, no.
Q But do you -- but you didn't do the investigation?
A No.
Q Did Mr. Hill -- when you approached him, did he tell you that he had autism?
A He did.
Q And do you guys -- does your -- I would say does your -- does the department train you on how to approach someone with autism?
A We deal with some academy-wise and not much follow-up after that.
Q Did he also tell you that he was a diabetic as well?
A I do not recall him telling me that, no.
Q Did he tell you that he was also OCD?
A Not that I recall.
Q And when you took him to the hospital, did they admit him into the hospital that night?
A No, they cleared him medically and psychologically and released him to us.
Q Okay. Did you get those reports from -- the medical reports?
A No, I did not do a subpoena for his hospital records.

Q Okay. Did you speak to a doctor or anyone regarding his condition or anything of that nature that night?
A We -- other than just checking with him to see if they were going to be releasing him or admitting him, no.
Q Do you recall any tests that were taken that night besides just checking, I believe you said, his knee?
A No, ma'am. Like I said, when we -- we also checked him for mental health issues is the reason why they cleared him psychologically, to make sure there was nothing going on there. Once they do that, they do lab work and other stuff. I didn't ask about his medical history.
Q Was there any tests dealing with his blood alcohol content or anything of that nature?
A I don't know if they did. Like I said, I did not get his records. They normally do, but I do not have that.

MS. PRYOR: No further questions, Your Honor.

THE COURT: Any redirect?

MR. RAMASWAMY: Briefly, Your Honor.

REDIRECT EXAMINATION

BY MR. RAMASWAMY

Q Counsel asked you about certain businesses and whether or not they were open in this time frame. Are there residences along this trail?
A It is.
Q Were there residences close to the trail?

A There are.
Q Are there residences where there's no obstruction between the residence and the trail?
A Yes, sir.
Q And this did, in fact, come in on a call of a report of a naked man; correct?
A Correct.

MR. RAMASWAMY: No other questions.

MS. PRYOR: I just have a follow-up on that.

THE COURT: All right.

RECROSS-EXAMINATION

BY MS. PRYOR

Q Were any pictures taken in front of any houses?
A Not on the camera that I saw, no.
Q And the residences that he mentioned, are those residences behind trees on the trail?
A There's some that back up to it that you can see the trail from, along with -- the original call that came in, the trail actually runs right up the side of the road where the original call came in.
Q And did that call come in from a resident?
A No, it was a passerby in a car.

MS. PRYOR: Thank you. No further question.

THE COURT: What time did you say you were on the scene there the first time?

THE WITNESS: The original call came in at 3:15, and I had Mr. Hill in custody at 3:22.

THE COURT: Any further questions from counsel?

MS. PRYOR: No, Your Honor.

THE COURT: Thank you. You may step down.

(At 4:26 p.m. witness excused.)

THE COURT: Any other evidence?

MR. RAMASWAMY: Not from the Government, Your Honor.

THE COURT: Any evidence from the Defendant?

MS. PRYOR: Yes, Your Honor. I would like to call Officer Jason McMurray, Your Honor.

JASON MCMURRAY, DEFENDANT'S WITNESS, being first duly sworn, testified as follows at 4:26 p.m.:

DIRECT EXAMINATION

BY MS. PRYOR

Q Could you state your full name for the Court.

A Yes. Jason McMurray.

Q And where do you work?

A I'm a United States probation officer employed in the Western District of Virginia in the Roanoke Division.

Q How long have you been with the police -- I mean the probation office?

A Over 10 years.

Q Okay. And did you have the occasion to supervise Mr. Brian Hill?

A Yes, sir, I have supervised him Mr. Hill since about July 1, 2015.
Q Okay. And as long as you have been supervising Mr. Hill, has he had any infractions besides the one that we are presently here for today?
A The only one was when shortly after he was released from a prior revocation hearing, for which he was not revoked, he was referred to sex offender specific treatment. After a short time of enrollment, the counselor advised that he was not amenable to treatment and recommended that he be terminated. I advised the probation office in this district, who had, in turn, advised the Court, and the determination was made that if he was otherwise stable with no other concerns or issues, we could just continue with supervision.
Q Okay. And so he continued on supervision.
Did he have the occasion to attend any mental health treatment?
A He saw a private counselor named Preston Page that was paid for by his Medicaid, I do believe. He maintained contact with Mr. Page, and I would check with Mr. Page occasionally to see how things are going.
Q Are you aware that Mr. Hill is diagnosed with autism?
A I am aware, yes.
Q And with your reaction and your interaction with him, have you found -- have you found to determine that you do see some

level of weaknesses when it comes to -- when it comes to your communication with him?
A Sometimes it can be difficult to communicate with Mr. Hill. So I have on many occasions -- he resides with his mother, and I have spoken with Roberta, is his mother's name, to see how things are going. And Mr. Hill has always been respectful. It is hard to communicate with him on -- sometimes, but I will speak with his mother, and I have spoken with his grandparents on occasion as well.
Q Okay. And when you've talked to Mr. Hill, I think you stated it, has he been respectful with you?
A He has.
Q And did Mr. Hill tell you -- did you get an opportunity to speak to him about this particular violation hearing?
A In what regard?
Q Just has he talked to you about what happened or anything, that he spoke to the police officers and that nature?
A When he was incarcerated, he had submitted some letters. We have not spoken face to face or on the telephone regarding a violation.
Q And other than this violation that we're here today, Mr. Hill, to your recollection, has been in compliance with all of the conditions of his release?
A He's been in compliance since I have supervised him until his arrest.

Q Okay. Did you --

MS. PRYOR: Can I have one moment, Your Honor?

THE COURT: Yes.

(Pause in the proceedings.)

BY MS. PRYOR

Q Do you recall what date he was arrested for these matters?

A September 21, 2018.

Q Okay. And do you recall what date the federal -- that the federal Government -- or, let me say, the probation office filed their violation?

A I'm not aware of the exact date that the petition in North Carolina -- this district was filed, but I notified the probation office, and they proceeded to request the violation warrant. I'm not exactly sure of the date.

Q Okay. And do you recall whether Mr. Hill, once he was -- once he was found guilty in Martinsville, did the Federal Government have a hold on his -- on his detainer?

A That is correct, because he was brought into magistrate court in Roanoke for his initial appearance on the violation proceedings.

Q Okay. And can you tell the Court what happened at the particular proceeding? Did you attend that proceeding?

A Yes, ma'am, I did.

Q First, did you attend that proceeding?

A Yes, ma'am, I was there.

Q And can you tell the Court what the judge recommended based on that proceeding that day?
A This took place on December 26, 2018. Magistrate Judge Ballou ordered that he be sent to Butner for a psychological evaluation.
Q And how many days was he supposed to be at that -- or go through that process?
A He was not returned to court until May 14th of this year, 2019.
Q Okay. After he returned May 14th of this year, was he released at that time?
A Yes, ma'am, he was.
Q Okay. And he was released back home?
A Yes, to the home that he shares with his mother.
Q And did that Court find that he was not a flight risk at the time?
A Yes.
Q And since he's been home, I believe you said May 14, 2019, has he been in violation of that particular conditions of that release?
A No, ma'am.
Q Okay. And based on that release, that was -- based on that release on May 14, 2001 [sic], have you had a chance to visit him at home?
A Yes, monthly.

MS. PRYOR: No further questions, Your Honor.

THE COURT: Any cross?

CROSS-EXAMINATION

BY MR. RAMASWAMY

Q You mentioned previously that Mr. Hill's sex offender treatment or counseling was terminated because he was found not to be amenable to treatment; correct?

A Yes, sir.

Q Do you know what the nature of that was?

A Yes, I do. Dr. Keith Fender of Radford Counseling advised that in group treatment Mr. Hill was not accepting responsibility for his underlining charge -- or conviction, rather, and that that would be a detriment to the group, and they determined that he should be removed from group, because part of that is that you accept responsibility and you work through what they call a workbook, which is a quite lengthy piece of material. So it was determined to remove Mr. Hill from the group.

Q And counsel asked you if you had spoke to Mr. Hill about this incident. Did Mr. Hill admit the conduct in this violation, the conduct of this hearing?

A We did not -- we have not spoken face to face. I have not asked him whether he committed the offense. He had written letters when he was in prison discussing the story that we heard previously about the individual asking him to take the

pictures.
Q Let me ask you -- I believe it's Government's Exhibit 8 was the monthly supervision report for the month of August 2018.
A Yes, sir.
Q Have you -- did you previously see that exhibit?
A Yes, I have previously seen the exhibit.
Q Had you seen it before today?
A It is a copy of our monthly supervision report, which we receive timely every month from Mr. Hill, and it was representative of one that he sends me every month.
Q As far as being a registered sex offender and the conditions of his supervision, would that prevent him from going to parks and places where children congregate?
A I would have to review his conditions of supervision, but our standing order in the Western District of Virginia would require permission for someone to go to places that are primarily used by children.
Q Did Mr. Hill ever seek such permission in relation to the Dick and Willie Passage?
A In the past, he has asked for permission during the daytime hours to go on the trail to take pictures of wildlife and nature.
Q Now, the probation office's recommendation in this case is revocation; correct?

A That's correct.
Q Has that changed, to your knowledge, since the time the report has come up?
A To my knowledge, it has not.
MR. RAMASWAMY: No other questions.
THE COURT: Any redirect?
MS. PRYOR: Yes, just one.

REDIRECT EXAMINATION

BY MS. PRYOR

Q Did -- we've mentioned about the sexual offense program. Was there a workbook that was provided to Mr. Hill?
A To my knowledge, there was, and he completed it very quickly, which the workbook, as it's been explained to me, it takes quite some time to complete. There are numerous phases that you must go through, and it's not something that can be completed without presenting the material to the group and receiving feedback. It's not something that can be completed in a couple of weeks or even a month.
Q Okay. And every time that Mr. Hill has went out, Mr. Hill does inform you that he is traveling, or any of that nature; correct?
A Yes, ma'am.
MS. PRYOR: Thank you. No further questions, Your Honor.
THE COURT: You may step down, sir.

(At 4:37 p.m., witness excused.)

THE COURT: Any other evidence for the Defendant?

MS. PRYOR: Yes, Your Honor.

THE COURT: All right.

MS. PRYOR: I call Ms. Roberta Hill, Your Honor.

ROBERTA HILL, DEFENDANT'S WITNESS, being first duly sworn, testified as follows at 4:37 p.m.:

DIRECT EXAMINATION

BY MS. PRYOR

Q Can you tell us your name for the record.

A Roberta Ruth Hill.

Q And what is your relationship with Mr. Brian Hill?

A I'm his mother.

Q Okay. And where does Mr. Hill stay in comparison to where you stay?

A In the apartment below my apartment at 310 Forest Street, Apartment 2.

Q And so is this a type of duplex type of home?

A Yeah, it is.

Q Okay. And so do you work during the daytime?

A No. I'm at home, and I can check on him any time during the day and night.

Q Okay. And so at one time, you guys were having some issues in the same home that Mr. Hill lives in dealing with the chimney; correct?

A Yes. There was damage in his apartment with water damage on his wall and ceiling in his living room.
Q Did you call someone to get that fixed?
A Yeah, I did.
Q Do you recall what the name of that company was that you called to get that fixed?
A No, I can't recall the name of the company.
Q Do you recall how much you paid for getting it fixed, getting the chimney fixed?
A They put -- he found out that it had been -- are you talking about the first time before --
Q Yes, I'm talking about the first time that you got your home --
A Yeah, that was $300 to get it fixed. I was trying to keep birds from going into the chimney.
Q Okay. And so you had a professional come out to get that fixed?
A Yes.
Q And was there an occasion that you had that same professional come back out to review it because of some issues that you stated?
A Yeah, there was another fireplace company that came out to take a look at it in January 30 of 2019.
Q Okay. And when they came out to fix it, did they tell you of anything that might have been happening in the home at the

time?
A Yeah, he said that he found out that all three flues of the chimney had been completely sealed off, and that means that my furnace and hot water heater was venting out through our apartments into -- he said that we would have had carbon monoxide coming into our apartments.
Q Okay. And do you recall what date that you had that particular professional come out and say that?
A January 30, 2019.
Q Okay. And Mr. Hill was -- and you do recall that Mr. Hill was arrested for indecent exposure in Martinsville, Virginia?
A Yes.
Q Okay. And do you recall what that date was?
A September 21, 2018.
Q Okay. Did Mr. Hill -- and do you recall Mr. Hill having a trial in Martinsville, Virginia?
A Uh-huh.
Q And were you present for that trial?
A Not the first trial. I was present for the trial in December, December 21, I think.
Q Okay. Did he get a chance to come home?
A No, he did not.
Q Okay. And do you recall the first time that Mr. Hill got a chance to come home after that particular -- after the first time he was arrested?

A He came home on May 14, 2019.
Q Okay. And did Mr. Hill -- do you recall if Mr. Hill went to the doctor any time in between that time?
A Yeah, he fell down one night. I guess he passed out and hit his head on a desk in his office and managed to somehow get back to his bedroom and fall asleep and whenever -- I set my alarm at 4:30 in the morning to check on him, check his blood sugar. I went down there. I saw all the blood on the pillow and realized something had happened, checked his blood sugar, treated an insulin reaction, and then I called 911 because I didn't know what had happened to him, and I saw that there was a gash above his eye. So the paramedics came out. They recommended for him to go to the hospital. He refused to go in the ambulance. So it took four hours for him to go through his OCD routines before I could get him to the emergency room.
Q Do you recall when that occurred, about the date when that occurred?
A That was during the winter, right after I first got the chimney fixed to keep birds from going into the chimney. It happened right after that.
Q Okay. And you stated that it took about four hours for you to get him to the hospital. I believe you mentioned OCD?
A Yeah, he has obsessive-compulsive disorder, and he does lengthy hand-washing routines and shower routines.
Q Okay. And how long has he been doing that?

A He's been doing that since he was in 6th grade.
Q Okay. And is Mr. -- has Mr. Hill been diagnosed with autism?
A Yes.
Q When was he diagnosed with autism?
A When he was four years old, he was diagnosed by Teacch in Greensboro.
Q And does he have -- and based on him being diagnosed with autism, do you have difficulty communicating with him?
A Yeah.
Q And what do you -- tell the -- can you tell the Court what that means for you and your family?
A Yeah, communication problems. Sometimes when I try to explain something to him, he doesn't quite understand what I'm saying, or he's unable to see my perspective, and sometimes he will get a little upset about it, which isn't unusual for people with autism. So I have to further explain things, or I have to be quiet and let him cool down --
Q Okay.
A -- before I can talk to him.
Q Does he get treatment for autism?
A No. There really -- when he was a kid, he was put on two or three different medications that never really helped him. So we had -- Teacch was coming out to help a little bit with the school, but other than that --

Q Does he get any treatment now for any mental health or autism now?
A No, not for the autism. He is going to a counselor.
Q Okay. And what does he go to the counselor for?
A He goes to Piedmont Counseling a couple times a month because that's what they wanted -- a condition of his bond.
Q And does he -- is he taking any medication at this time?
A Yeah, he's taking a medication to help with the OCD and anxiety. I think it's called Zoloft. I'm not sure.
Q Okay. That's okay.
And as far as -- you mentioned carbon monoxide. Is he taking any -- do you recall if he took any medication for the carbon monoxide treatment?
A No, no, he didn't. We didn't know until four months after he was arrested that we had carbon monoxide in our home.
Q Okay. And once you found out that you had carbon monoxide in your home, have that been treated in your home at this time?
A Yeah, we got it fixed. He unplugged the flue that went to the heater and the hot water heater, and he put a chimney cap on the top. So we don't have any more problems with that. And, plus, we got two carbon monoxide detectors in my apartment and in his apartment.
Q Okay.
MS. PRYOR: I have no further questions, Your Honor.
THE COURT: Any examination from the Government?

MR. RAMASWAMY: Yes, Your Honor.

CROSS-EXAMINATION

BY MR. RAMASWAMY

Q Ms. Hill, you're pretty familiar with your son's case; correct?

A Yes.

Q He files things pretty frequently with the court?

A Yes.

Q Do you assist him with that?

A No. That's his -- I'm not even into legal stuff. He's the one that works the legal information, other than I might look up information for him.

Q You're saying you don't read what he files?

A Sometimes, not all the time because sometimes he's impulsive, and he does it in the middle of night when I'm sleeping, so, no.

Q Well, if he's filing things in the middle of the night, does he have Internet access?

A No, he does not. He faxes.

Q He faxes them?

A Uh-huh.

Q Some of these things are -- they're filed online, though, aren't they?

A No.

Q Are you familiar with his story that someone forced him to

take these pictures?
A Yes, I am.
Q That's a story that he repeated for some time, wasn't it?
A Yes.
Q And it's also in documents that he filed with the court, isn't it?
A Yes.
Q And at some other time, we have his story that carbon monoxide was to blame; correct?
A Right.
Q Does that coincide about when Mr. Hill found out there was a probation report on the same memory card?
A I don't know.
Q You live in the same house with Mr. Hill; correct?
A I'm in the apartment above his apartment.
Q It's a house?
A Yes, connected.
Q Yes. You live in the same house with Mr. Hill; correct?
A Yes.
Q And you claim -- or you're stating there was some type of carbon monoxide problem for which you're trying to relate Mr. Hill's conduct on September 21, 2018; right?
A Right. I saw some things with his behavior prior to that time, that I didn't know what was going on, but I thought that he was acting oddly. But, also, I was being exposed, too, and

I had some problems that I was dealing with, and I didn't understand what was going on.

Q So this wasn't fixed until, I believe you said, January 30, 2019; correct?

A That's whenever it was inspected and we found out about the problem, and he removed the tin, yes.

Q So from September 21, 2018, to January 30, 2019, if you had such a problem, nothing was done to fix it; right?

A Right.

MR. RAMASWAMY: No other questions.

MS. PRYOR: Just a follow-up.

REDIRECT EXAMINATION

BY MS. PRYOR

Q So from September of 21, 2019 -- I mean, 2018, to, I believe you said, January of 30 of 2019, did you see some problems in your home that was happening?

A Yeah. The water damage in my son's apartment got increasingly worse. The ceiling started falling down. I didn't know what was going on because my apartment is right above his, and I wasn't getting any water damage. So I thought initially it has to be the foundation. So I called the foundation place, and they could only come three months later. So I waited for that, and they said it's not the foundation. They thought maybe it's the chimney or the roof. I got a roofing company in. They recommended putting a chimney cricket

in front of the chimney. They thought that would stop it. So I got that done. That didn't stop it. So then I called a fireplace expert out to take a look at it, and he found out that it had been sealed up.

Q And also -- you mentioned that there was also some things that were affecting Mr. Hill during that time that you couldn't figure out. Can you describe some of those things for the Court?

A He was saying that he couldn't think, he couldn't focus, and he was extremely tired. I also was extremely tired, and I didn't know why. I was complaining to my parents. So both of us were complaining about things like not being able to think clearly.

Q Okay.

MS. PRYOR: No further questions, Your Honor.

MR. RAMASWAMY: One follow-up.

RECROSS-EXAMINATION

BY MR. RAMASWAMY

Q Would those things happen more often when you were inside the home with the carbon monoxide?

A Yes.

Q You've heard the testimony about the conduct; correct?

A Yes.

Q That happened outside, didn't it?

A Yes, but, I mean, I was always tired for that period of

time. So, I mean -- and my son was constantly complaining about not being able to think. I can't really say that that was inside the house or outside the house. It was just continually during that time span that we were having problems.

Q As a matter of fact, the testimony showed, based on the camera card time, he was outside for several hours on September 21, doesn't it?

A Yeah.

Q That's not consistent with inhaling carbon monoxide, is it?

A Well, from what I've read online, it can cause a lot of different problems. That can -- it could affect your neurological system. I also was having a lot of head shaking going on. My parents noticed that. So it can affect neurological problems in the body.

MR. RAMASWAMY: No other questions.

THE COURT: All right. You may step down.

(At 4:51 p.m., witness excused.)

MS. PRYOR: No further evidence, Your Honor.

THE COURT: Since the Government's got the burden here, I would be happy to hear from the Government.

MR. RAMASWAMY: Your Honor, in this case, the violation is the Defendant committed the criminal violation of the Virginia Code for indecent exposure. I have given the Court the statute, but, here, if it had only been the phone

call and the arrest, that's one thing, but we have a series of photographs which are just plainly inexplicable.

As to the violation itself --

THE COURT: Let me ask a question about the photographs. They are taken from a distance. How does somebody take a photograph from a distance like that?

MR. RAMASWAMY: I would ask the Court to note a couple of things. One is the officer's testimony about flashlights. He had two flashlights. And, second, in the vantage point of the photographs themselves, note the proximity of the ground, and it would be our contention the camera is simply set on the ground and a timer is used. As a matter of fact, some of them appear to be retakes. Where Government's Exhibit 1, for instance, the top right photo, sanyo096, is too dark, the next photograph in sequence sanyo097 is well lit. In effect, it supports the inference that he repositioned the lights in order to more clearly take the photographs.

There's no one else depicted in these photographs. In every one of them, they appear to be taken with the camera set on the ground.

THE COURT: All right.

MR. RAMASWAMY: In this case, as to the conduct itself -- I'm not at this point addressing anything else -- two things. His initial story is clearly impossible, that someone gave him a camera and told him to take these pictures under

threat of his family, the fact that his violation -- his report to his probation officer is found on the same memory card with him being shown as the author, the conduct for a registered sex offender convicted of child pornography offenses to be naked, not just exposing himself -- this would be a different matter if Mr. Hill had simply been walking and chose to relieve himself and could have technically violated the statute, but Mr. Hill was wearing socks, sandals, and a hat, and that's all.

As shown on Government's Exhibit 7, the map with the annotations, the photographs are taken some distance away, not only from his residence, but where he was observed and reported to the police naked and where he's arrested, that the duration of the conduct, the nature of the conduct, photographing the conduct for whatever reason all support the violation. We would ask that he be found in violation.

THE COURT: All right.

Ms. Pryor?

MS. PRYOR: Thank you, Your Honor.

Your Honor, we, of course, would ask that he does not be found in violation, Your Honor. As you've had the opportunity to hear, Your Honor, the statute does indeed state that every person who intentionally makes an obscene display or exposure of his person shall be found guilty of a Class 1 misdemeanor.

Your Honor, I believe that we presented evidence here

today that would discredit the intent of the party, or the intent of Mr. Hill. One of the elements that we are faced here with is the intent element here. Your Honor, I believe that the Government, one, has not provided the intent and, two, that this Court has the opportunity to determine the facts that were presented today to determine whether the intention of the party was to make an obscene display or expose himself -- exposure of himself.

Your Honor, you had the opportunity to hear from his mother, who stated that at the time of this incident that there has been evidence that there was some carbon monoxide that had been displayed in their home, and based on that, Your Honor, she went further to state that in her research, Your Honor, when it comes to carbon monoxide, that based on that research, that it does causes some level of delusion, some level of -- they even talked about -- she even discussed possibly that they were beginning to have some headaches, that there were some things that --

THE COURT: How do I rely on that in this hearing? That's hearsay, and it's --

MS. PRYOR: It is hearsay.

THE COURT: I mean, it's not -- it's scientific evidence, and there's no indication she's qualified to -- I don't even know what her source was, whether it was Wikipedia or what have you. So I am concerned about whether there's

enough scientific foundation for any conclusions about the effect of carbon monoxide.

MS. PRYOR: Your Honor, we do understand that, Your Honor, but the factual part of what she did state was the things that affected her, Your Honor, and the things that she did, who has been his caretaker -- the things she saw affect him.

So, Your Honor, we would state that there was some level of affect that was going on that can be determined just to Mr. Hill presently, Your Honor, that would show some level, and then to actually have the evidence that there was some carbon monoxide and to begin to start the process of fixing it.

So, Your Honor, we would state that Mr. Hill, based even on this -- based on this statute, that the intent factor has not been met here today, Your Honor, and that he should not be found in violation of his release conditions, Your Honor.

THE COURT: Okay. I am going to find that the preponderance of the evidence demonstrates that Mr. Hill did violate the condition of release by violating the Virginia Code 18.2-387. As the officer testified, it's actually the local version, but it's apparently the same statute, and that's what he's charged with in that he did intentionally expose himself and make an intentional either obscene display and actually exposure -- intentional exposure of his person. The photographs are evidence of that.

He's also seen, by the officer's independent testimony, to have been naked at the time and was running around the neighborhood. So I credit the testimony of Sergeant Jones and find him to be credible and that about September 21, 2018, that the Defendant was naked and running around Martinsville, Virginia, taking pictures, which are indicated in the Government's exhibits.

As to the testimony about intent -- or the argument about intent, the evidence on a preponderance basis demonstrates that Mr. Hill intended to do this. The story about him being forced to do this by another individual finds no support in the record. It's also inconsistent with some of the information that's testified to by Sergeant Jones, who -- I went back and was just checking his testimony, who did say that the other individual, the male, asked him to -- or demanded he take pictures. There's no testimony by anybody that there was any kind of threat like that made, and the camera that allegedly was given to Mr. Hill to take these photos, it strikes me as virtually impossible that it would contain a copy of the Defendant's own court records. So that's inconsistent with that story as well.

So I'm going to find the preponderance of the evidence demonstrates the Defendant violated Virginia law by indecently exposing himself at the time alleged. So I'm going to find as well that the violation was willful and without

lawful excuse.

He originally was convicted of a Class C felony. He's a Criminal History Category I. This is a Class C violation. The guidelines provide a 3- to 9-month advisory imprisonment range. The most that can be imposed on him is 24 months.

As to supervised release, the original term of supervised release available under the statute is, I believe, 5 years to life. He had had 10 years of supervised release imposed by Judge Osteen, but the term that's available could be 5 years to life under the statute.

I will say it would be my intention to work off the 10 years and work -- and consider nothing more than the 10 years that Judge Osteen -- that's the maximum that I would consider for supervision. Does that make that clear?

MS. PRYOR: Thank you, Your Honor.

THE COURT: That would be my intention, but I would be glad to hear from you all as to that.

So do you agree or disagree that those are the proper guidelines?

MS. PRYOR: That was the proper guidelines, Your Honor.

THE COURT: Mr. Ramaswamy?

MR. RAMASWAMY: Yes, Your Honor.

THE COURT: So I've got about 10 minutes, and we can

continue this, if we need to, in the morning or on another date. I would be happy to hear from you as to an appropriate disposition in this case.

MS. PRYOR: Thank you so much, Your Honor.

Your Honor, today we are asking Your Honor -- I would note, and I think you heard on testimony as well, that Mr. Hill was on a federal detainer. I believe it began on December -- we tried to come to a date about, but I believe it was around December 21 of 2018, and he was held into custody until May 14 of '19. So, Your Honor, that's give or take about 6 months already.

This violation, as you note from the guidelines, Your Honor, is a -- falls within that period of time, Your Honor. I believe 6 months is, I believe, in the revocation that they were asking for. It was around the middle, which would put us right at that 6-month period.

Your Honor, we would ask that you would give him credit for time served for that particular time, to continue him on supervised probation that you've -- I mean, I'm sorry, supervised release, Your Honor, pending that, but, Your Honor, I do believe that he has served and he was -- as we can recall, he was on that detainer, Your Honor. He could not leave, of course, or if he even -- with the bond. So we can conclude that he definitely was on a federal detainer at that time. He did get released on conditions from the Virginia -- from

Virginia, and so that would also conclude that he did have that time and it was through the Federal Government.

THE COURT: Will the Bureau of Prisons give him credit for the time that he was sent to Butner as time-served credit or not?

MS. PRYOR: I'm not sure, Your Honor. I actually called the Bureau of Prisons before so I could know that answer. That was actually my question as well. Your Honor, I'm not sure how that process works, and I was waiting on someone to call me back from the Bureau of Prisons. And I believe the attorney was supposed to call me back in order to conclude that or give us an estimation of whether the Bureau does consider time when you're determining competency, whether that time is conclusive or does it even give them credit for that when it comes to a sentencing term.

So, Your Honor, I don't have that answer. I would like to, of course, get that answer, Your Honor, because as I'm standing here asking for you to use it as credit, I can't factually or be able to --

THE COURT: I understand.

MS. PRYOR: Okay. Thank you.

THE COURT: Anything further?

MS. PRYOR: So, Your Honor, I would ask -- of course, that is the sentence that they have requested, but, Your Honor, we would ask the Court for the bottom of the guidelines, Your

Honor.

I would remind the Court that he does have autism. I remind the Court that he has OCD. I remind the Court that he does have some debilitating health issues that he does have that deals with his diabetes.

Your Honor, Mr. Hill in custody or in prison is very destruction to him as a person, who does see things and perceive things, of course, differently than we do as being on the autism spectrum.

THE COURT: Is he still in custody now?

MS. PRYOR: He is not in custody now.

THE COURT: He was released May 14?

MS. PRYOR: He was, Your Honor.

THE COURT: From Butner?

MS. PRYOR: No, he was released from court, Your Honor. He actually got out of Butner I believe it was around February, and then he was -- then he went back to court, and then he was released on conditions.

THE COURT: So he was released from Butner in February?

MS. PRYOR: He was released from Butner in February. They sent him to another custody situation, I guess, just in the process, and some things -- and this is why I bring this up, too. Because of his autism, he has some issues in the jail with one of the wards, and they were supposed to send him back

directly after, but they put him in some level of solitary in another jail.

All in all, he didn't get back, of course, until May 14, and so that's why I stand here and ask for the credit, because I would hope that the Court would -- and I say that because we do understand that you've made that he has violated this, and based on that, there is a punishment that must go with it; but, Your Honor, I would state because of his condition and because of OCD and because of autism, the courts and BOP, having to learn to deal with someone with autism, I don't believe that they are there yet, which makes it difficult on the person. And because of -- you know, because of that, Your Honor, I would ask that if you do find that you want to sentence him, there are some other alternative ways of sentencing him. He's been successful, as you heard from his probation officer, being at home, home detention where he cannot leave --

THE COURT: Before you go on further, let me just see what the Government's position is, but I don't know if they're opposing. He's essentially been incarcerated now for close to 6 months, in some form or another.

Are you opposing some kind of sentence that would be in effect a time-served sentence?

MR. RAMASWAMY: Yes, Your Honor.

THE COURT: Okay.

MS. PRYOR: And so, Your Honor, there are some other alternative ways of doing prison -- or doing punishment. As you heard, Mr. Hill has been successful with being at home. He can be placed on home detention. He can have an electronic monitor. He can be placed on home detention for up to 6 months, even up to a year, if Your Honor so requires.

Him being at home, he has the opportunity to -- I mean, he won't have the opportunity to leave. His family does travel, and they do enjoy traveling. He won't have the opportunity to travel, some of the things that he takes -- some of the things that he enjoys doing.

Your Honor can also make it any other conditions that, of course, Your Honor would provide, but, Your Honor, I would ask because of what he -- because he's been successful through his probation of showing that he is consistent about sending his report, he's consistent about contacting them, he's consistent about making sure that they know where he is at all times, he's consistent about being respectful to the officer, so I would state that having him at home with his family and even if -- like I say, even if it's more closed in where he cannot leave the home I think would still satisfy the punishment that is here.

As you heard, he does -- I believe they stated that he walks that trail even during the daytime. So he does enjoy going outdoors. So having the -- where the Court would tell

him he could not go outdoors anymore is a punishment as well.

So, Your Honor, I do believe that you can satisfy the factors here of the condition of him being at home on detention. Whether 6 months to a year, you can satisfy the condition of whether it would be a deterrence because, as you note, Mr. Hill does like to travel with his family. So that is the deterrence, that he won't be able to travel.

And being with his autism, his mindset and what he thinks is differently than what it is for us or any other prisoner that we could sentence to custody. His punishment is just the violation, being sentenced to -- him being violated. That's the difference of the sentence that he gets here today.

So, Your Honor, I would just ask that you would consider those other alternative ways of punishment today and that you would sentence him within the guidelines but through alternatives ways of doing it.

THE COURT: All right.

MS. PRYOR: Thank you.

THE COURT: All right. Mr. Ramaswamy?

MR. RAMASWAMY: Your Honor, I don't wish to prolong -- I don't wish to speak so long that the Court is going to miss any deadlines.

THE COURT: Well, how long do you want to speak? What is it the Government's arguing for?

MR. RAMASWAMY: I would first say that the Defendant

is a registered sex offender who spent at least three hours out that night naked, photographing himself for some unknown reason. And the Court has also heard testimony that there were other reports of a naked man in a stocking cap, and he's shown wearing a stocking cap prior to this, and that there were no such reports after Mr. Hill's arrest.

This is not Mr. Hill's first violation. He was not revoked last time, and I'm not saying that would have been appropriate; but on these facts, it is completely appropriate. The probation officer is recommending the high end here. Under the Chapter 7 limits and not going into Protect Act, I would concur with that. I would ask the Court to sentence him to the 9 months. I don't know if whatever time he spent in the evaluation counts. I can't say.

THE COURT: Should I take that into account? I mean, he was essentially locked up for 6 months.

MR. RAMASWAMY: Yes. I'm not saying it's not appropriate that the Court take it into account, but I don't think simply telling Mr. Hill to stay at home and make him wear a monitor -- he's proven he can't self-regulate. He's consistently denied the offense conduct of the original offense, of the other violation. It's always some nefarious, outside force that makes Mr. Hill do things, now from someone handing him a camera until, here, carbon monoxide. Mr. Hill has consistently shown he doesn't take responsibility for what

he does, and he's inappropriate to trust in the form of self-regulation.

THE COURT: What role does his autism play in all of this?

MR. RAMASWAMY: I think we're all familiar with what's in the reports as to his mental state. More than the autism, there is the diagnosis of delusional disorder. That is in his prior records. I think the Court has dealt with persons with autism before, and that's a larger topic to get into than here. I think we've all been considerate. The Government, the Court, the Court in the original case, counsel has been considerate of the Defendant's mental condition, but on this conduct, there is an overriding concern of public safety.

Even at the high end of what's recommended, it's likely lower than someone without Mr. Hill's condition would have gotten on these facts.

THE COURT: So what's the punishment for this in Virginia? He's been convicted. What has he been sentenced to? Do you know?

MR. RAMASWAMY: I don't know what the original sentence was.

THE COURT: Ms. Pryor probably knows. What was his sentence?

MS. PRYOR: Your Honor, he was given credit for time -- he was given credit for time served. I believe it was

a 60-day sentence, Your Honor, because it's less than a year.

THE COURT: Okay. Was that in addition to the 6 months he was in federal custody?

MS. PRYOR: No, that was not, Your Honor.

THE COURT: All right.

MR. RAMASWAMY: Thank you, Your Honor.

THE COURT: Mr. Hill, is there anything you would like to say on your own behalf before I make a decision as to a disposition of your case? Let me say to you that you have no obligation to speak. You enjoy the right to remain silent under our Constitution. If you wish to remain silent, I will not hold that against you. On the other hand, if you would like to say anything before I make a decision, this would be the right time.

THE DEFENDANT: Respectfully, yes, I do, Your Honor. I would like to bring up that I have been involved in a 2255 motion since 2017. If I have to admit guilt to something I did not do, I would be committing over five acts of perjury. So am I going to be required by the probation office to commits acts of perjury, because I kept saying under penalty of perjury, I'm innocent? I filed something that the guilty plea cannot be valid if I withdrawed it. The 2255 is still pending before this Court, and to force me to admit guilt to something I did not do is detrimental and puts me at risk of multiple perjury charges.

And the carbon monoxide -- I have a lot of proof, Your Honor. I've got sinus tachycardia. I've got abnormal red blood cell count, abnormal white blood cell count. All these are in medical records, and the National Institute of Health -- my mom has documents from the National Institute of Health and government agencies saying that carbon monoxide can be linked to all kinds of problems that I had had last year, like psychosis and hallucinations. And I have credible government documents that all backs up everything I'm saying. That's why I sent a letter to Martinsville Police Department on the conduct, apologizing and saying that, look, carbon monoxide caused this.

There might be a guy in a hoodie. There was a threatening greeting card that my mother did receive that said they will do a controlled action against my mother if she doesn't stop putting stuff on YouTube. If she doesn't stop what she's doing, they're going to commit a controlled action against her. That was July 2018.

Your Honor, there's a lot more evidence that couldn't be presented at this hearing. We needed more time. That's why I filed the notice of interlocutory appeal. We would have had witnesses to come and testify. We need more time, and I need to go through the state appeal because I am actually innocent. According to my lawyer, Scott Albrecht, the public defender of Martinsville, he said, you are innocent because you did not

engage in obscene-type conduct. And that means, you know, I never masturbated. I never did anything sexual. I was just naked. So he said that I am legally innocent under the Commonwealth of Virginia. That's why I'm appealing it so that I could be found actually innocent, and I plan to file a motion for the writ of actual innocence in Virginia. Even though it's normally sent to -- you know, felonies, I'm going to try to push for it, and I'm going to ask the Attorney General to have me found actually innocent because I am actually innocent.

THE COURT: All right, sir.

Can I speak to the probation officers briefly, please?

(Off-the-record discussion.)

THE COURT: All right. I've already found by the preponderance of the evidence that the Defendant violated the valid conditions of his supervised release, and the violation was willful and without lawful excuse. I'm going to order that the supervised release term be revoked.

I've considered the factors under 3553(a) that apply under 3583(e) in this case, and one of the factors is the nature and circumstances of the offense. Here, the Defendant was exposing himself throughout the city of Martinsville, and the photos are part of the record in this case, which indicate how he exposed himself, which is proof of the exposure, which I found to be a violation of the indecent exposure law in

Virginia.

Another factor is the history and characteristics of the Defendant. I've considered the multiple factors here indicated, including the Defendant's autism and his OCD, the diabetes, his age.

And I'm concerned about deterrence because this is the second hearing we've had on revocation. The exposure in this case was intentional and purposeful. There's really no way to explain otherwise. He's running around naked, taking pictures of himself and posing for the pictures of his genitals, and he's doing it in the open in the public. How he would have thought he'd never have been caught by this is kind of hard to fathom, but maybe because it's 3:00 in the morning.

I'm trying to take into account and give heavy deference to the fact that I know he has autism. On the other hand, he's extremely articulate in his various filings with the court and his allocution. Mr. Hill is very capable of explaining things. It may not always be rational, but he's capable of explaining things. So I am trying to distance all of that.

In this case, I'm taking into account the fact that he's been in federal custody since December 21st.

MS. PRYOR: Yes, Your Honor.

THE COURT: I'm going to impose the 9 months. That's within the guideline range that the probation office has

recommended. That is the high end of the guidelines.

As a practical matter, that's, I think, 3 months from now, roughly 3 months from now, because I am anticipating that he should be getting credit for all of his time since December 21st because he's been in federal custody. Whether he's been at Butner being evaluated or wherever he was, he was in still in federal custody.

So my sentence of 9 months is under the understanding that he's getting credit for his time since December 21. It's also acknowledging that he's been in state custody before that and was punished in state custody, but the violations of supervised release, generally speaking, run consecutive to state punishment. And in this case, I think that's an appropriate punishment.

The willfulness of this violation is what still strikes me. Even though I know he's autistic and he has issues, it's hard to deny the willful, intentional conduct here.

So I'm going to order that Mr. Hill be committed to the custody of the United States Bureau of Prisons for 9 months. As I've said, that's with the intention that that would essentially be running from December 21, 2018, to the present because he would be getting federal credit for that time.

I am going to reimpose 9 years of supervision in this

case under the same terms and conditions already disclosed in this case.

All right?

MS. PRYOR: Your Honor, I do have a question. If the attorney or -- once they do return my call, if they do not give him credit for that 5 months that he was in custody, is that still Your Honor's position?

THE COURT: No. My belief is he should get that credit. So my sentence is based on the understanding that he will be getting credit since then. What I guess I would tell you is it will take me a few days to get the judgment prepared.

MS. PRYOR: Yes, Your Honor.

THE COURT: I would encourage you to check with the Bureau of Prisons and be sure about that. If that's a problem, let me know, and under Rule 35, I think it is, I will regard that to be a mistake in fact.

MS. PRYOR: That's correct.

THE COURT: Unless there is an objection by the parties, I would consider making that change to reflect that.

MS. PRYOR: Thank you, sir.

THE COURT: Anything else? Have you had an opportunity speak -- oh, is he in custody now?

MS. PRYOR: He is not in custody, Your Honor.

THE COURT: He's been out of custody at the present time. Is this a case where he can self-report, and is there

any objection?

MS. PRYOR: Your Honor, that would be my request, Your Honor. His family did come all the way from Martinsville, Virginia, and the probation officer and him have a great, great relationship.

THE COURT: Let me ask: Is there any objection to self-reporting?

MR. RAMASWAMY: For the Government, I do oppose it, Your Honor. I understand Probation's position, if I'm not mistaken, is he be allowed to self-report.

THE COURT: What is the Probation's view?

THE PROBATION OFFICER: Your Honor, he's followed instructions thus far. I don't see why he wouldn't now.

THE COURT: Is he on location monitoring?

THE PROBATION OFFICER: No, sir, not at the present time.

MS. PRYOR: Your Honor, we have no objection to him being on location monitoring, but I would ask that he does self-report. He's never had an issue with Probation.

THE COURT: I'm -- given the myriad of factors in this case -- he's still living with his mother; right?

MS. PRYOR: He does.

THE COURT: I'm going to find he's not likely to flee or pose a danger to the community under circumstances where he's on GPS monitoring. So I'm going to add a condition to his

supervision that he be given GPS location monitoring, and he can self-report then.

Do I have a date, Ms. Engle?

MS. PRYOR: Your Honor, this might be a stretch to ask, but I believe his next court date is December 3. I was wondering, Your Honor -- it's really important to him that he be able to attend that hearing -- if it could be a date after December 3 to report.

THE COURT: Any objection?

MR. RAMASWAMY: Your Honor --

THE COURT: It's going to take Bureau of Prisons 6 or 8 weeks at a minimum.

MS. PRYOR: It does, Your Honor.

THE COURT: So we'll be into November.

MR. RAMASWAMY: Given the conduct, the Government does not consent to that.

THE COURT: Okay.

THE PROBATION OFFICER: Your Honor, just as a matter of logistics, if he were to be released to location monitoring technology, that technology should be installed immediately. We would request a -- that the Court agree to a short delay of the installation of that, just given the logistics of him traveling back to the Western District of Virginia and the Western District of Virginia installing their equipment.

THE COURT: How many days would you like before?

THE PROBATION OFFICER: Your Honor, I think we can take care of that Monday.

THE COURT: So you can add that to the condition, that within 7 days that it be placed at the discretion of Probation. How about that? Does that work?

THE PROBATION OFFICER: Thank you, Your Honor.

THE COURT: All right. So as long as he's on location monitoring, I'll set it for Friday, December 6, noon, report to the U.S. Marshal in Greensboro, if he hasn't received a designation.

THE PROBATION OFFICER: I apologize, Your Honor. Just for further clarification, is that a home incarceration or a curfew? He would need to be placed under one of the three programs as well.

THE COURT: Is there a recommendation?

THE CLERK: Is it a revision? An order of release or a condition of his supervision?

THE COURT: Well, I don't know -- we'll figure out that in a minute.

THE PROBATION OFFICER: I would simply recommend at least a curfew. With GPS, you can order a curfew that's restrictive enough to monitor his whereabouts throughout the day.

THE COURT: Okay. That's a -- the case manager raised a good question. This is actually not a condition of

supervision. I think this is going to be a release condition so he can remain on his own. So the magistrate judge's order on release will be modified to add a condition for location monitoring. You think home -- a curfew is sufficient?

THE PROBATION OFFICER: Your Honor, I believe a curfew that's at the discretion of the probation officer would be --

THE COURT: I will add a curfew at the discretion of Probation. Probation is doing an excellent job of working with Mr. Hill. I just want to make sure that he's in at night.

MS. PRYOR: Yes, Your Honor.

THE COURT: All right. I don't want him running around naked anymore anywhere.

MS. PRYOR: Yes, Your Honor.

THE COURT: Does that address all those issues?

MS. PRYOR: It does, Your Honor.

THE COURT: Ms. Pryor, let me know right away if you hear otherwise.

MS. PRYOR: I will, yes, sir.

THE COURT: Because the judgment will be issued here shortly.

Have you had an opportunity to speak with Mr. Hill about any appellate rights he may have?

MS. PRYOR: I have, Your Honor. He would like to file his notice of appeal.

THE COURT: For the record, just so that I've advised him, make sure he's aware, if he does want to file a notice of appeal, he must do so in writing within 14 days of the entry of the Court's judgment. If he cannot afford the cost of his appeal, he can ask the Fourth Circuit to waive the cost.

If you want to file the notice of appeal -- I haven't entered a written judgment yet, but it only has to be entered within 14 days of the written judgment.

MS. PRYOR: I understand. Thank you, Your Honor.

THE COURT: Ms. Hill, please keep an eye on your son. I hope there won't be any problems between now and whenever he gets a reporting date so that we don't have any further issues. Okay.

MS. PRYOR: Thank you so much, Your Honor.

THE COURT: Good luck. I know it's a challenge.

All right. Anything further?

MR. RAMASWAMY: No, Your Honor.

THE COURT: All right. Please adjourn Court.

(END OF PROCEEDINGS AT 5:35 P.M.)

******

UNITED STATES DISTRICT COURT

MIDDLE DISTRICT OF NORTH CAROLINA

CERTIFICATE OF REPORTER

I, Briana L. Bell, Official Court Reporter, certify that the foregoing transcript is a true and correct transcript of the proceedings in the above-entitled matter.

Dated this 4th day of November 2019.

Briana L. Bell

Briana L. Bell, RPR
Official Court Reporter

EXHIBIT 3

attached to: "MOTION FOR SET ASIDE OR RELIEVE DEFENDANT OF JUDGMENT OF CONVICTION OF CRIMINAL CHARGE PURSUANT TO VIRGINIA CODE § 8.01-428(D), VIRGINIA CODE § 8.01-428(A) AND VIRGINIA CODE § 8.01-428(B) ON THE BASIS OF FRAUD UPON THE COURT, CLERICAL FACTUAL ERRORS"

by Brian David Hill

Case no. CR19000009-00, Circuit Court, City of Martinsville, Virginia

Ally of Q, Former news reporter of USWGO Alternative News
JUSTICEFORUSWGO.WORDPRESS.COM







PATIENT NO: 7806761243 SOVAH HEALTH BILLING DATE PAGE 1 02781
MED REC NO: 370912 320 HOSPITAL DR 07/14/22
GUARANTOR NO:
PATIENT: MARTINSVILLE VA 241121900 ADMITTED DISCHARGED
HILL BRIAN D 09/21/18 09/21/18

PAY TO ADDRESS: SOVAH HEALTH
PO BOX 742401
ATLANTA
GA 303742401

BILL TO:
HILL BRIAN D EMERGENCY FC=09
310 FOREST ST INFORMATION BILL, SPECIFIED PERIOD OF TIME
APT 2 FROM 09/21/18 THRU 09/21/18
MARTINSVILLE VA 24112

DATE OF SERVICE	BATCH REF	DEPT	F S	PROC	NDC/CPT-4/ HCPCS	QTY	SERVICE DESCRIPTION	CHARGES
258-IV SOLUTIONS								
092118	21B597	0715		170363	J7030	1	IV NACL .9% 1000ML	157.00
							SUBTOTAL:	157.00
260-IV THERAPY								
092118	23B781	0780		800397	96360	1	IV HYDRATION 1ST HR	585.00
							SUBTOTAL:	585.00
270-MED SURG SUPPLY								
092118	22B696	0718		232334		1	SENSOR FETAL O2	130.00
092118	22B696	0718		230760		1	CUFF B/P DISP	50.00
092118	22B696	0718		232781		1	OXISENSOR DISP	198.00
092118	22B696	0718		232295		1	TUBING HEPLOCK	32.00
092118	22B696	0718		230633		1	CATH IV	66.00
092118	22B696	0718		232137		1	TUBING SECONDARY	21.00
							SUBTOTAL:	497.00
272-MED SURG SUPPLY/STERILE								
092118	22B696	0718		232646		1	KIT IV LATEX FREE	56.00
							SUBTOTAL:	56.00
450-EMERG ROOM								
092118	22B696	0780		800388	9928525	1	ER VISIT LEVEL V	2555.00
							SUBTOTAL:	2555.00

THANK YOU FOR CHOOSING SOVAH
MARTINSVILLE FOR YOUR HEALTHCARE NEEDS

PATIENT NO: 7806761243 SOVAH HEALTH BILLING DATE PAGE 2 02781
MED REC NO: 370912 320 HOSPITAL DR 07/14/22
GUARANTOR NO:
PATIENT: MARTINSVILLE VA 241121900 ADMITTED DISCHARGED
HILL BRIAN D 09/21/18 09/21/18

DATE OF SERVICE	BATCH REF	DEPT	F S	PROC	NDC/CPT-4/ HCPCS	QTY	SERVICE DESCRIPTION	CHARGES
636-DRUGS/DETAIL CODE								
092118	21B597	0712		123638	90714	1	TET\DIPHTOXOID PF J	137.00
							SUBTOTAL:	137.00
771-VACCINE ADMIN								
092118	23B781	0780		800230	90471	1	IMMUNIZATION ADMIN	120.00
							SUBTOTAL:	120.00
							TOTAL ANCILLARY CHARGES	4107.00
							TOTAL CHARGES	4107.00
							PAYMENTS	.00
							ADJUSTMENTS	.00
							BALANCE	4107.00

THANK YOU FOR CHOOSING SOVAH
MARTINSVILLE FOR YOUR HEALTHCARE NEEDS

PATIENT NO: 7806761243 SOVAH HEALTH BILLING DATE PAGE 3 02781
MED REC NO: 370912 320 HOSPITAL DR 07/14/22
GUARANTOR NO:
PATIENT: MARTINSVILLE VA 241121900 ADMITTED DISCHARGED
HILL BRIAN D 09/21/18 09/21/18

DEPARTMENTAL CHARGE SUMMARY

DEPT	DESCRIPTION	AMOUNT
0712	PHARMACY	137.00
0715	IV SOLUTIONS - ADMIN	157.00
0718	MEDICAL SERVICES	553.00
0780	EMERGENCY SERVICES	3,260.00

REVENUE CHARGE SUMMARY

REV CD	DESCRIPTION	BILLABLE	NON-BILLABLE	TOTAL
0258	IV SOLUTIONS	157.00	.00	157.00
0260	IV THERAPY	585.00	.00	585.00
0270	MED SURG SUPPLY	497.00	.00	497.00
0272	MED SURG SUPPLY/STERILE	56.00	.00	56.00
0450	EMERG ROOM	2,555.00	.00	2,555.00
0636	DRUGS/DETAIL CODE	137.00	.00	137.00
0771	VACCINE ADMIN	120.00	.00	120.00

TOTAL CHARGES: 4,107.00

TOTAL PAYMENTS: .00

TOTAL ADJUST: .00

1 SOVAH HEALTH 320 HOSPITAL DR MARTINSVILLE VA 241121900 8042673700	2 SOVAH HEALTH PO BOX 742401 ATLANTA GA30374	3a PAT. CNTL # 7806761243 b. MED. REC. # 000000370912	4 TYPE OF BILL 0131
		5 FED. TAX NO. 20-2028539	6 STATEMENT COVERS PERIOD FROM 092118 THROUGH 092118

8 PATIENT NAME	9 PATIENT ADDRESS
a	a 310 FOREST ST, APT 2
b HILL, BRIAN D.	b MARTINSVILLE c VA d 24112 e

10 BIRTHDATE	11 SEX	12 ADMISSION DATE	13 HR	14 TYPE	15 SRC	16 DHR	17 STAT	18	19	20	21	22	23	24	25	26	27	28	29 ACDT STATE	30
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	31 OCCURRENCE CODE	31 OCCURRENCE DATE	32 OCCURRENCE CODE	32 OCCURRENCE DATE	33 OCCURRENCE CODE	33 OCCURRENCE DATE	34 OCCURRENCE CODE	34 OCCURRENCE DATE	35 OCCURRENCE SPAN CODE	35 OCCURRENCE SPAN FROM	35 OCCURRENCE SPAN THROUGH	36 OCCURRENCE SPAN CODE	36 OCCURRENCE SPAN FROM	36 OCCURRENCE SPAN THROUGH	37
a	11	092118	A1	052690											a
b															b

38	39 CODE	39 VALUE CODES AMOUNT	40 CODE	40 VALUE CODES AMOUNT	41 CODE	41 VALUE CODES AMOUNT
VIRGINIA PREM ELITE PLUSZ PO BOX 4369 RICHMOND, VA 23220	a A3	410700				
	b					
	c					
	d					

	42 REV CD.	43 DESCRIPTION	44 HCPCS / RATE / HIPPS CODE	45 SERV. DATE	46 SERV. UNITS	47 TOTAL CHARGES	48 NON-COVERED CHARGES	49
1	0450	ER VISIT LEVEL V	99285 25	092118	1	385000		1
2	0636	N449281021588ML1	90714	092118	1	13700		2
3	0771	IMMUNIZATION ADMIN	90471	092118	1	12000		3
4								4
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23	0001	PAGE 001 OF 001	CREATION DATE	092618	TOTALS	410700		23

50 PAYER NAME	51 HEALTH PLAN ID	52 REL INFO	53 ASG BEN	54 PRIOR PAYMENTS	55 EST. AMOUNT DUE	56 NPI	57 OTHER PRV ID
A VIRGINIA PREM ELITE PLU		Y	Y	000		1154419737	
B							
C							

58 INSURED'S NAME	59 P. REL	60 INSURED'S UNIQUE ID	61 GROUP NAME	62 INSURANCE GROUP NO.
A HILL, BRIAN D.	18	690024628015		
B				
C				

63 TREATMENT AUTHORIZATION CODES	64 DOCUMENT CONTROL NUMBER	65 EMPLOYER NAME
A		
B		
C		

66 DX									68
	S80211A	S20319A	F840	E119	F429	Z888			
	0								

69 ADMIT DX	70 PATIENT REASON DX	71 PPS CODE	72 ECI	73
	M25562 S80211A			

74 PRINCIPAL PROCEDURE CODE	DATE	a. OTHER PROCEDURE CODE	DATE	b. OTHER PROCEDURE CODE	DATE	75
c. OTHER PROCEDURE CODE	DATE	d. OTHER PROCEDURE CODE	DATE	e. OTHER PROCEDURE CODE	DATE	

76 ATTENDING	NPI	QUAL	
LAST HINCHMAN	FIRST GRANT		
77 OPERATING	NPI	QUAL	
LAST	FIRST		
78 OTHER	NPI	QUAL	
LAST	FIRST		
79 OTHER	NPI	QUAL	
LAST	FIRST		

80 REMARKS	81CC	
	a	B3282N00000X
	b	B1W
	c	U
	d	

EXHIBIT 4

attached to: "MOTION FOR SET ASIDE OR RELIEVE DEFENDANT OF JUDGMENT OF CONVICTION OF CRIMINAL CHARGE PURSUANT TO VIRGINIA CODE § 8.01-428(D), VIRGINIA CODE § 8.01-428(A) AND VIRGINIA CODE § 8.01-428(B) ON THE BASIS OF FRAUD UPON THE COURT, CLERICAL FACTUAL ERRORS"

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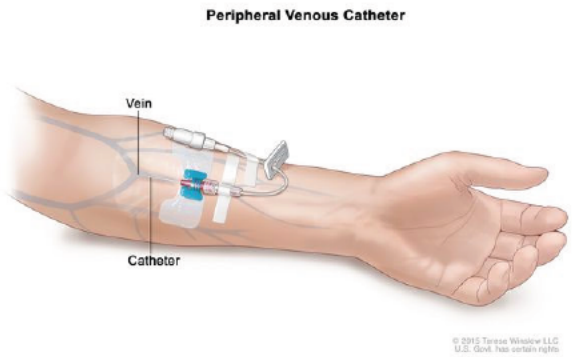


NIH NATIONAL CANCER INSTITUTE

peripheral venous catheter

(peh-RIH-feh-rul VEE-nus KA-theh-ter)

A device used to draw blood and give treatments, including intravenous fluids, drugs, or blood transfusions. A thin, flexible tube is inserted into a vein, usually in the back of the hand, the lower part of the arm, or the foot. A needle is inserted into a port to draw blood or give fluids.



Peripheral venous catheter. A peripheral venous catheter is a thin, flexible tube that is inserted into a vein. It is usually inserted into the lower part of the arm or the back of the hand. It is used to give intravenous fluids, blood transfusions, chemotherapy, and other drugs.

Search NCI's Dictionary of Cancer Terms

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EXHIBIT 5

attached to: "MOTION FOR SET ASIDE OR RELIEVE DEFENDANT OF JUDGMENT OF CONVICTION OF CRIMINAL CHARGE PURSUANT TO VIRGINIA CODE § 8.01-428(D), VIRGINIA CODE § 8.01-428(A) AND VIRGINIA CODE § 8.01-428(B) ON THE BASIS OF FRAUD UPON THE COURT, CLERICAL FACTUAL ERRORS"

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delirium

(deh-LEER-ee-um)

A mental state in which a person is confused and has reduced awareness of their surroundings. The person may also be anxious, agitated, or have less energy than usual and be tired or depressed. Delirium can also cause hallucinations and changes in attention span, mood or behavior, judgement, muscle control, and sleeping patterns. The symptoms of delirium usually occur suddenly, last a short time, and may come and go. It may be caused by infection, dehydration, abnormal levels of some electrolytes, organ failure, medicines, or serious illness, such as advanced cancer.

More Information

Delirium

Search NCI's Dictionary of Cancer Terms

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3744

EXHIBIT 6

attached to: "MOTION FOR SET ASIDE OR RELIEVE DEFENDANT OF JUDGMENT OF CONVICTION OF CRIMINAL CHARGE PURSUANT TO VIRGINIA CODE § 8.01-428(D), VIRGINIA CODE § 8.01-428(A) AND VIRGINIA CODE § 8.01-428(B) ON THE BASIS OF FRAUD UPON THE COURT, CLERICAL FACTUAL ERRORS"

by Brian David Hill

Case no. CR19000009-00, Circuit Court, City of Martinsville, Virginia

Ally of Q, Former news reporter of USWGO Alternative News
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3% Sodium Chloride Injection, USP

freeflex®

Rx only

DESCRIPTION:

3% Sodium Chloride Injection, USP is a sterile, nonpyrogenic, hypertonic solution for fluid and electrolyte replenishment in single dose containers for intravenous administration. The pH may have been adjusted with hydrochloric acid. It contains no antimicrobial agents. Composition, ionic concentration, osmolarity, and pH are shown in Table 1.

Table 1.

	Size (mL)	Composition (g/L)	Ionic Concentration (mEq/L)		*Osmolarity (mOsmol/L) (calc)	pH
		Sodium Chloride, USP (NaCl)	Sodium	Chloride		
3% Sodium Chloride Injection, USP	500	30	513	513	1,027	5.0 (4.5 to 7.0)

*Normal physiological osmolarity range is approximately 280 to 310 mOsmol/L.

The flexible container is fabricated from a specially formulated non-plasticized, film containing polypropylene and thermoplastic elastomers (**free***flex*® bag). The amount of water that can permeate from the container into the overwrap is insufficient to affect the solution significantly. Solutions in contact with the flexible container can leach out certain of the container's chemical components in very small amounts within the expiration period. The suitability of the container material has been confirmed by tests in animals according to USP biological tests for plastic containers.

CLINICAL PHARMACOLOGY:

3% Sodium Chloride Injection has value as a source of water and electrolytes. It is capable of inducing diuresis depending on the clinical condition of the patient.

INDICATIONS AND USAGE:

3% Sodium Chloride Injection is indicated as a source of water and electrolytes.

CONTRAINDICATIONS:

None known.

WARNINGS:

Hypersensitivity/infusion reactions, including hypotension, pyrexia, tremor, chills, urticaria, rash, and pruritus may occur with 3% Sodium Chloride Injection.

Stop the infusion immediately if signs or symptoms of a hypersensitivity reaction develop, such as tachycardia, chest pain, dyspnea and flushing. Appropriate therapeutic countermeasures must be instituted as clinically indicated.

Depending on the volume and rate of infusion, the intravenous administration of 3% Sodium Chloride Injection can cause fluid and/or solute overloading resulting in dilution of serum electrolyte concentrations, overhydration/hypervolemia, congested states, pulmonary edema, or acid-base imbalance. The risk of dilutive states is inversely proportional to the electrolyte concentration of the injection. The risk of solute overload causing congested states with peripheral and pulmonary edema is directly proportional to the electrolyte concentrations of the injection.

Monitor changes in fluid balance, electrolyte concentrations, and acid base balance during prolonged parenteral therapy or whenever the condition of the patient or the rate of administration warrants such evaluation.

Administer 3% Sodium Chloride Injection with particular caution to patients with or at risk for hypernatremia, hyperchloremia, hypervolemia or with conditions that may cause sodium retention, fluid overload and edema; such as patients with primary hyperaldosteronism, or secondary hyperaldosteronism (for example, associated with hypertension, congestive heart failure, liver disease (including cirrhosis), renal disease (including renal artery stenosis, nephrosclerosis) or pre-eclampsia). Certain medications may increase risk of sodium and fluid retention (*see* ***Drug Interactions***).

Administer 3% Sodium Chloride Injection with particular caution to patients with severe renal impairment. In such patients administration of Sodium Chloride Injection may result in sodium retention.

PRECAUTIONS:

General

Do not connect flexible plastic containers in series in order to avoid air embolism due to possible residual air contained in the primary container. Such use could result in air embolism due to residual air being drawn from the primary container before administration of the fluid from the secondary container is completed.

Pressurizing intravenous solutions contained in flexible plastic containers to increase flow rates can result in air embolism if the residual air in the container is not fully evacuated prior to administration.

Use of a vented intravenous administration set with the vent in the open position could result in air embolism. Vented intravenous administration sets with the vent in the open position should not be used with flexible plastic containers.

3% Sodium Chloride Injection is hypertonic with an osmolarity of 1,027 mOsmol/L. Administration of hypertonic solutions may cause venous damage and thus should be administered through a large vein, for rapid dilution.

Do not mix or administer 3% Sodium Chloride Injection solution through the same administration set with whole blood or cellular blood components.

Rapid correction of hypo- and hypernatremia is potentially dangerous (risk of serious neurologic complications). Dosage, rate, and duration of administration should be determined by a physician experienced in intravenous fluid therapy.

Drug Interactions

Caution must be exercised in the administration of 3% Sodium Chloride Injection to patients treated with drugs that may increase the risk of sodium and fluid retention, such as corticosteroids.

Caution is advised in patients treated with lithium. Renal sodium and lithium clearance may be increased during the administration of 3% Sodium Chloride Injection. Administration of 3% Sodium Chloride Injection may, therefore, result in decreased lithium levels.

Pregnancy

There are no adequate and well controlled studies with 3% Sodium Chloride Injection in pregnant women and animal reproduction studies have not been conducted with this drug. Therefore, it is not known whether 3% Sodium Chloride Injection can cause fetal harm when administered to a pregnant woman. 3% Sodium Chloride Injection should be given during pregnancy only if the potential benefit justifies the potential risks to the fetus.

Nursing Mothers

It is not known whether this drug is excreted present in human milk. Because many drugs are excreted present in human milk, caution should be exercised when 3% Sodium Chloride Injection is administered to a nursing woman.

Pediatric Use

The use of 3% Sodium Chloride Injection in pediatric patients is based on clinical practice (see **DOSAGE AND ADMINISTRATION**).

Plasma electrolyte concentrations should be closely monitored in the pediatric population as this population may have impaired ability to regulate fluids and electrolytes.

Geriatric Use

Clinical studies of 3% Sodium Chloride Injection did not include sufficient numbers of subjects aged 65 and over to determine whether they respond differently from younger subjects. Other reported clinical experience has not identified differences in responses between the elderly and younger patients. In general, dose selection for an elderly patient should be cautious, usually starting at the low end of the dosing range, reflecting the greater frequency of decreased hepatic, renal, or cardiac function, and of concomitant disease or other drug therapy.

This drug is known to be substantially excreted by the kidney, and the risk of toxic reactions to this drug may be greater in patients with impaired renal function. Because elderly patients are more likely to have decreased renal function, care should be taken in dose selection, and it may be useful to monitor renal function.

ADVERSE REACTIONS:

Post-Marketing Adverse Reactions

The following adverse reactions have not been reported with 3% Sodium Chloride Injection but may occur:

- hyperchloremia
- hyperchloremic metabolic acidosis,
- hypersensitivity/infusion reactions, including hypotension, pyrexia, tremor, chills, urticaria, rash, and pruritus,
- Infusion site reactions, such as thrombosis, phlebitis, irritation, infusion site erythema, injection site streaking, burning sensation, infusion site urticaria.

If an adverse reaction does occur, discontinue the infusion, evaluate the patient, institute appropriate therapeutic countermeasures, and save the remainder of the fluid for examination if deemed necessary.

OVERDOSAGE:

Excessive administration of 3% Sodium Chloride Injection may lead to hypernatremia (which can lead to CNS manifestations, including seizures, coma, cerebral edema and death) and sodium overload (which can lead to central and/or peripheral edema).

When assessing an overdose, any additives in the solution must also be considered. The effects of an overdose may require immediate medical attention and treatment.

DOSAGE AND ADMINISTRATION:

As directed by a physician. Dosage, rate, and duration of administration are to be individualized and depend upon the indication for use, the patient's age, weight, clinical condition, concomitant treatment, and on the patient's clinical and laboratory response to treatment.

Parenteral drug products should be inspected visually for particulate matter and discoloration prior to administration whenever solution and container permit. Use of a final filter is recommended during administration of all parenteral solutions, where possible.

Do not administer unless solution is clear and seal is intact.

All injections in flexible plastic containers are intended for intravenous administration using sterile and nonpyrogenic equipment.

Additives may be incompatible. Complete information is not available. Those additives known to be incompatible should not be used. Consult with pharmacist, if available. If, in the informed judgment of the physician, it is deemed advisable to introduce additives, use aseptic technique. Mix thoroughly when additives have been introduced. Do not store solutions containing additives.

After opening the container, the contents should be used immediately and should not be stored for a subsequent infusion. Do not reconnect any partially used containers. Discard any unused portion.

HOW SUPPLIED:

3% Sodium Chloride Injection, USP in a single dose flexible plastic container, is available as follows:

Product No.	530175	530175
Presentation	Single-Dose Container	Carton
NDC #	63323-530-21	63323-530-75
Description	15 grams per 500 mL in a 500 mL bag (30 mg per mL)	20 Single-Dose Containers in 1 Carton

Exposure of pharmaceutical products to heat should be minimized. Avoid excessive heat.

Store at 20° to **25**°C (**68**° to **77**°F) [see USP Controlled Room Temperature]; brief exposure up to 40°C/104°F does not adversely affect the product.

The container closure is not made with natural rubber latex. Non-PVC, Non-DEHP, Sterile.

INSTRUCTIONS FOR USE:

Check flexible container solution composition, lot number, and expiry date.

Do not remove solution container from its overwrap until immediately before use.

Use sterile equipment and aseptic technique.

To Open

1. Turn solution container over so that the text is face down. Using the pre-cut corner tabs, peel open the overwrap and remove solution container.
2. Check the solution container for leaks by squeezing firmly. If leaks are found, or if the seal is not intact, discard the solution.
3. Do not use if the solution is cloudy or a precipitate is present.

To Add Medication

1. Identify WHITE Additive Port with arrow pointing toward container.
2. Immediately before injecting additives, break off WHITE Additive Port Cap with the arrow pointing toward container.
3. Hold base of WHITE Additive Port horizontally.
4. Insert needle horizontally through the center of WHITE Additive Port's septum and inject additives.
5. Mix container contents thoroughly.

Preparation for Administration

1. Immediately before inserting the infusion set, break off BLUE Infusion Port Cap with the arrow pointing away from container.
2. Use a non-vented infusion set or close the air-inlet on a vented set.
3. Close the roller clamp of the infusion set.
4. Hold the base of BLUE Infusion Port.
5. Insert spike through BLUE Infusion Port by rotating wrist slightly until the spike is inserted. **NOTE:** See full directions accompanying administration set.

WARNING: Do not use flexible container in series connections.

Manufactured for:

FRESENIUS KABI

Lake Zurich, IL 60047

Made in Germany

www fresenius-kabi.com/us

451532A

Revised: February 2020

PACKAGE LABEL - PRINCIPAL DISPLAY – 3% Sodium Chloride Injection, USP 500 mL Bag Label

NDC 63323-530-21

free*flex*®

500 mL

3% Sodium Chloride Injection, USP

3748

15 grams per 500 mL (30 mg per mL)

Hypertonic Saline

For intravenous use. Rx only

NDC 63323-530-21

freeflex®

500 mL

3% Sodium Chloride Injection, USP

15 grams per 500 mL
(30 mg per mL)

Hypertonic Saline

100

For intravenous use. Rx only

Each 100 mL contains: Sodium Chloride, USP 3 g in water for injection. pH may have been adjusted with hydrochloric acid.

Sodium	513 mEq/L
Chloride	513 mEq/L
1027 mOsmol/L (CALC)	pH 5.0 (4.5 to 7.0)

200

Hypertonic. May cause vein damage.

Single-Dose Container. Discard Unused Portion.

Additives may be incompatible. Consult with pharmacist, if available. When introducing additives, use aseptic technique, mix thoroughly and do not store.

300

Usual dosage: See package insert.
Store unit in moisture barrier overwrap.
Use immediately once removed from overwrap.

Store at 20° to **25°**C (**68°** to **77°**F) [see USP Controlled Room Temperature] until ready to use. Avoid excessive heat.

The container closure is not made with natural rubber latex.
Non-PVC, Non-DEHP, Sterile.

400

(01)00363323530211

Mfd. for:

FRESENIUS KABI
Lake Zurich, IL 60047
Made in Germany
www.fresenius-kabi.com/us
403291

LOT

EXP

0743501/00 US

3750

PACKAGE LABEL - PRINCIPAL DISPLAY – 3% Sodium Chloride Injection, USP Case Label

NDC 63323-530-75 530175
3% Sodium Chloride Injection, USP,

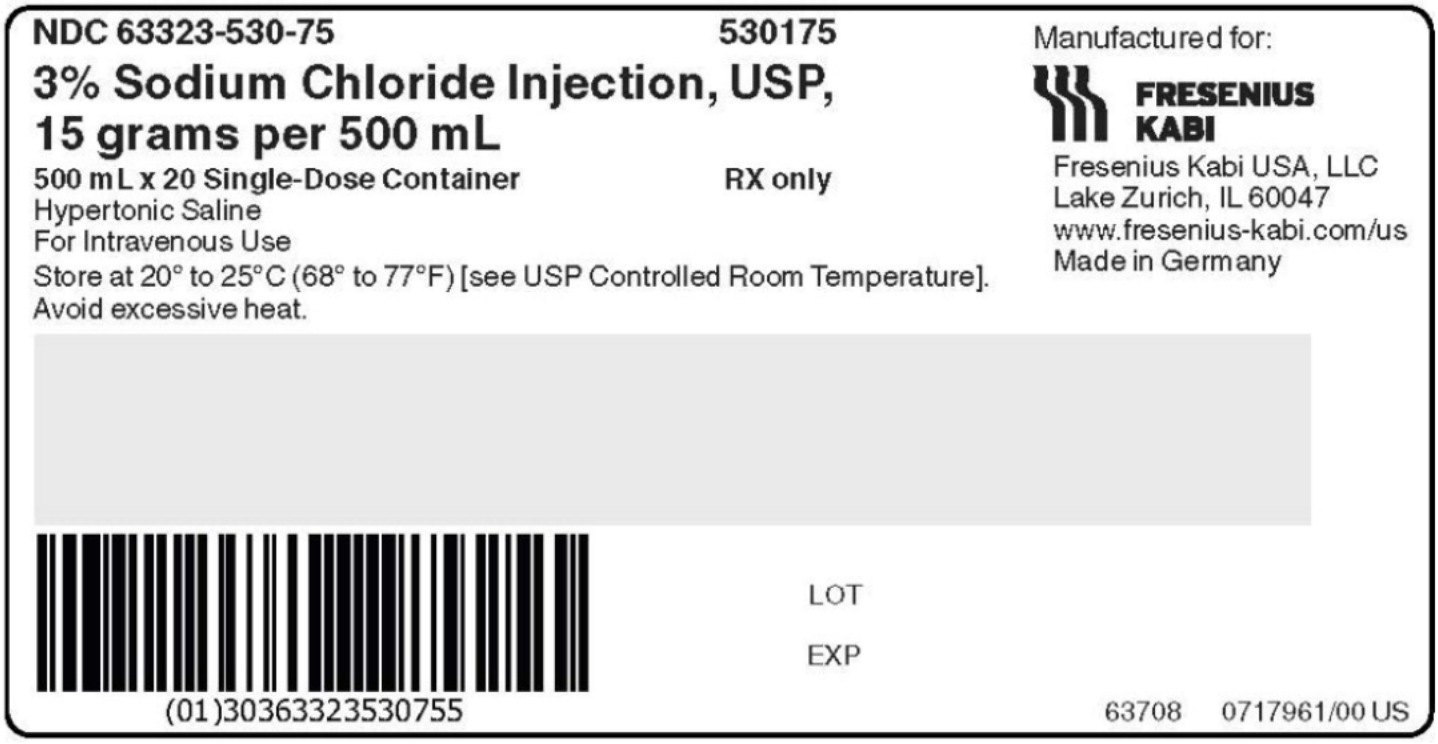
15 grams per 500 mL

500 mL x 20 Single-Dose Container

Hypertonic Saline

For Intravenous Use

Rx only



SODIUM CHLORIDE
sodium chloride injection, solution

Product Information			
Product Type	HUMAN PRESCRIPTION DRUG	**Item Code (Source)**	NDC 63323-530
Route of Administration	INTRAVENOUS		

Active Ingredient/Active Moiety		
Ingredient Name	**Basis of Strength**	**Strength**
SODIUM CHLORIDE (UNII: 451W47IQ8X) (SODIUM CATION - UNII:LYR4M0NH37, CHLORIDE ION - UNII Q32ZN48698)	SODIUM CHLORIDE	3 g in 100 mL

Inactive Ingredients	
Ingredient Name	**Strength**
WATER (UNII: 059QF0KO0R)	
HYDROCHLORIC ACID (UNII: QTT17582CB)	

Packaging

#	Item Code	Package Description	Marketing Start Date	Marketing End Date
1	NDC:63323-530-75	20 in 1 CASE	03/20/2020	
1	NDC:63323-530-21	500 mL in 1 BAG; Type 0: Not a Combination Product		

Marketing Information

Marketing Category	Application Number or Monograph Citation	Marketing Start Date	Marketing End Date
ANDA	ANDA209476	03/20/2020	

Labeler - Fresenius Kabi USA, LLC (608775388)

Establishment

Name	Address	ID/FEI	Business Operations
Fresenius Kabi Deutschland GmbH		506719546	ANALYSIS(63323-530) , MANUFACTURE(63323-530)

Revised: 10/2022 Fresenius Kabi USA, LLC

PubChem

COMPOUND SUMMARY

Sodium Chloride

See also: Saline (related); Halite (related).

PubChem CID	5234
Structure	 2D Find Similar Structures
Molecular Formula	NaCl or ClNa
Synonyms	sodium chloride 7647 14 5 Salt Table salt Halite More
Molecular Weight	58.44
Component Compounds	CID 313 (Hydrochloric Acid) CID 5360545 (Sodium)
Dates	Modify 2023 01 23 Create 2005 03 25

Sodium Chloride is a metal halide composed of sodium and hloride with sodium and hloride replacement capabilities When depleted in the body, sodium must be replaced in order to maintain intracellular osmolarity, nerve conduction, muscle contraction and normal renal function

▸ NCI Thesaurus (NCIt)

Sodium chloride or table salt is a mineral substance belonging to the larger class of compounds called ionic salts. Salt in its natural form is known as rock salt or halite. Salt is present in vast quantities in the ocean, which has about 35 grams of sodium chloride per litre, corresponding to a salinity of 3.5%. Salt is essential for animal life, and saltiness is one of the basic human tastes. The tissues of animals contain larger quantities of salt than do plant tissues. Salt is one of the oldest and most ubiquitous of food seasonings, and salting is an important method of food preservation. Salt is produced from salt mines or by the evaporation of seawater or mineral-rich spring water in shallow pools. Salt is used in many industrial processes and in the manufacture of polyvinyl chloride, plastics, paper pulp and many other consumer products. Of the global annual production of around 200,000,000 tonnes of salt, only 6% is used for human consumption. Other uses include water conditioning, highway de-icing and various agricultural applications. For humans, salt is a major source of sodium. Sodium is essential to life: it helps nerves and muscles to function correctly, and it is one of the factors involved in the regulation of water content.

▸ To in and To in Target Database (T3DB)

Sodium chloride is an inorganic chloride salt having sodium(1) as the counterion It has a role as an emetic and a flame retardant It is an inorganic chloride and an inorganic sodium salt

▸ ChEBI

1 Structures

1.1 2D Structure

Chemical Structure Depiction

PubChem

1.2 3D Status

Conformer generation is disallowed since MMFF94s unsupported element, MMFF94s unsupported atom valence, mixture or salt

PubChem

2 Names and Identifiers

2 1 Computed De criptor

2.1.1 IUPAC Name

sodium;chloride

Computed by Lexichem TK 2.7.0 (PubChem release 2021.05.07)

PubChem

2 1 2 InChI

InChI=1S/ClH.Na/h1H;/q;+1/p-1

Computed by InChI 1.0.6 (PubChem release 2021.05.07)

PubChem

2 1 3 InChIKey

FAPWRFPIFSIZLT-UHFFFAOYSA-M

Computed by InChI 1 0 6 (ubChem relea e 0 1 05 07)

PubChem

2.1.4 Canonical SMILES

[Na] [Cl]

Computed by OEChem 2.3.0 (PubChem release 2021.05.07)

PubChem

2 2 Molecular Formula

NaCl

Wikipedia

Sour e Wikipedia
Record Name sodium chloride
URL: https://en.wikipedia.org/wiki/Sodium_chloride
Description Chemical information link to Wikipedia

ClNa

Computed by PubChem 2.1 (PubChem release 2021.05.07)

PubChem

2.3 Other Identifiers

2.3.1 CAS

7647-14-5

CAS Common Chemistry; ChemIDplus; DrugBank; DTP/NCI; EPA Chemicals under the TSCA; EPA DSSTo ; European Chemicals Agency (ECHA); FDA Global Substance Registration System (GSRS); Hazardous Substances Data B

14762 51 7

CAS Common Chemistry; ChemIDplus; EPA DSSTox

32343-72-9

ChemIDplus

2.3.2 Related CAS

14784-90-8 ((24)hydrochlorideCl)

17112-21-9 ((22)hydrochlorideCl)

ChemIDplus

2.3.3 Deprecated CAS

11062-32-1, 11062-43-4, 8028-77-1, 418758-90-4

ChemIDplus

11062 32 1, 11062 43 4, 418758 90 4

EPA DSSTox

2.3.4 European Community (EC) Number

231-598-3

European Chemicals Agency (ECHA)

2.3.5 NSC Number

77364

DTP/NCI

2.3.6 UNII

451W47IQ8X

FDA Global Substance Registration System (GSRS)

2.3.7 DSSTox Substance ID

DTXSID3021271

EPA DSSTox

DTXSID6040379

EPA DSSTox

DTXSID501033754

EPA DSSTox

2.3.8 Wikipedia

Sodium chloride

Wikipedia

2.3.9 Wikidata

Q2314

Wikidata

2.3.10 NCI Thesaurus Code

C29974

NCI Thesaurus (NCIt)

C821

NCI Thesaurus (NCIt)

C72068

NCI Thesaurus (NCIt)

C75874

NCI Thesaurus (NCIt)

C822

NCI Thesaurus (NCIt)

2.3.11 RXCUI

9863

NLM RxNorm Terminology

2.4 Synonyms

2.4.1 MeSH Entry Terms

Sodium Chloride
Sodium Chloride, (22)Na
Sodium Chloride, (24)NaCl

▸ Medical Subject Headings (MeSH)

2.4.2 Depositor-Supplied Synonyms

sodium chloride	Top flake	Adsorbanac	Natrum Muriaticum	NSC-77364	Sodium, Reference Standard Solution	Rocksalt
7647-14-5	Sodium chloride (NaCl)	Hypersal	Extra Fine 200 Salt	Sodium chloride, hypertonic	Halite (NaCl)	Titrisol
Salt	Hyposaline	sodium;chloride	Extra Fine 325 Salt	LS-1700	Sodium chloride, ACS reagent, > 99.0%	cloruro sod
Table salt	Sodium monochloride	Trisodium trichloride	Sodium chloride brine, purified	10% Sodium Chloride Injection	Sodium-36 chloride	sodium-chl
Halite	Flexivial	White crystal	Arm-A-Vial	CHEBI:26710	EINECS 231-598-3	Solsel
Saline	Gingivyl	H.G. blending	CCRIS 982	451W47IQ8X	NSC 77364	UNII-451W
Rock salt	Slow Sodium	Salt (ingredient)	Dendritic salt	Ayr	Sodium chloride physiological solution, BioUltra, tablet	natrii chlori
Common salt	Sea salt	Colyte	HSDB 6368	Buffer Solution, TISAB	Sodium chloride (Na36Cl)	Saline Solu
Dendritis	NaCl	Isotonic saline	EPA Pesticide Chemical Code 013905	Sodium chloride, ultra dry	Sodium chloride [USP:JAN]	Sea water
Purex	SS salt	Sodium chloride (Na4Cl4)	14762-51-7	Sodium chloride solution, 5 M	Isotonic	Watesal A
Sodium chloric	sodiumchloride	Caswell No. 754	Sodium chloride solution	Natriumchlorid [German]	Kochsalz	Uzushio Bir
Iodized salt	Natriumchlorid	Normal saline	MFCD00003477	Broncho saline	Mafiron	chlorure de

▸ PubChem

3 Chemical and Physical Properties

3.1 Computed Properties

Property Name	Property Value	Reference
Molecular Weight	58 44	Computed by PubChem 2 1 (PubChem release 2021 05 07)
Hydrogen Bond Donor Count	0	Computed by Cactvs 3 4 8 18 (PubChem release 2021 05 07)
Hydrogen Bond Acceptor Count	1	Computed by Cactvs 3 4 8 18 (PubChem release 2021 05 07)
Rotatable Bond Count	0	Computed by Cactvs 3 4 8 18 (PubChem release 2021 05 07)
Exact Mass	57 9586220	Computed by PubChem 2 1 (PubChem release 2021 05 07)
Monoisotopic Mass	57 9586220	Computed by PubChem 2 1 (PubChem release 2021 05 07)
Topological Polar Surface Area	0 Å²	Computed by Cactvs 3 4 8 18 (PubChem release 2021 05 07)
Heavy Atom Count	2	Computed by PubChem
Formal Charge	0	Computed by PubChem
Complexity	2	Computed by Cactvs 3 4 8 18 (PubChem release 2021 05 07)
Isotope Atom Count	0	Computed by PubChem
Defined Atom Stereocenter Count	0	Computed by PubChem
Undefined Atom Stereocenter Count	0	Computed by PubChem
Defined Bond Stereocenter Count	0	Computed by PubChem
Undefined Bond Stereocenter Count	0	Computed by PubChem
Covalently-Bonded Unit Count	2	Computed by PubChem
Compound Is Canonicalized	Yes	Computed by PubChem (release 2021 05 07)

PubChem

3.2 Experimental Properties

3.2.1 Physical Description

Dry Powder; Dry Powder, Liquid; Dry Powder, Other Solid; Dry Powder, Water or Solvent Wet Solid; Liquid; Liquid, Other Solid; NKRA; Other Solid; Pellets or Large Crystals; Pellets or Large Crystals, Liquid; Water or Solvent Wet Solid

EPA Chemicals under the TSCA

Water soluble, white crystals; [CAMEO]

Haz-Map, Information on Hazardous Chemicals and Occupational Diseases

3.2.2 Color/Form

Colorless, transparent crystals or white, crystalline powder

Lewis, R.J. Sr.; Hawley's Condensed Chemical Dictionary 15th Edition. John Wiley & Sons, Inc. New York, NY 2007., p. 1140

Hazardous Substances Data Bank (HSDB)

Colorless and transparent or translucent when in large crystals

O'Neil, M.J. (ed.). The Merck Index - An Encyclopedia of Chemicals, Drugs, and Biologicals. Cambridge, UK Royal Society of Chemistry, 2013., p. 1596

Hazardous Substances Data Bank (HSDB)

Colorless cubic crystals

Haynes, W.M. (ed.). CRC Handbook of Chemistry and Physics. 94th Edition. CRC Press LLC, Boca Raton FL 2013-2014, p. 4-89

Hazardous Substances Data Bank (HSDB)

3.2.3 Taste

SRP: SALTY

Hazardous Substances Data Bank (HSDB)

3.2.4 Boiling Point

1465 °C

Haynes, W.M. (ed.). CRC Handbook of Chemistry and Physics. 94th Edition. CRC Press LLC, Boca Raton FL 2013-2014, p. 4-89

Hazardous Substances Data Bank (HSDB)

3.2.5 Melting Point

800.7 °C

Haynes, W.M. (ed.). CRC Handbook of Chemistry and Physics. 94th Edition. CRC Press LLC, Boca Raton FL 2013-2014, p. 4-89

Hazardous Substances Data Bank (HSDB)

3.2.6 Solubility

36.0 g/100 g of water at 25 °C

Haynes, W.M. (ed.). CRC Handbook of Chemistry and Physics. 94th Edition. CRC Press LLC, Boca Raton FL 2013-2014, p. 4-89

Hazardous Substances Data Bank (HSDB)

One gram dissolves in 2.8 mL water /3.57X10+5 mg/L/ at 25 °C

O'Neil, M.J. (ed.). The Merck Index - An Encyclopedia of Chemicals, Drugs, and Biologicals. Cambridge, UK Royal Society of Chemistry, 2013., p. 1596

Hazardous Substances Data Bank (HSDB)

Slightly soluble in ethanol

Haynes, W.M. (ed.). CRC Handbook of Chemistry and Physics. 94th Edition. CRC Press LLC, Boca Raton FL 2013-2014, p. 4-89

Hazardous Substances Data Bank (HSDB)

0.065 g/100 g ethanol at 25 °C, 7.15 g/100 g ethylene glycol at 25 °C, 5.21 g/100 g formic acid at 25 °C, 10 g/100 g glycerol at 25 °C, 2.15 g /100 g liquid ammonia at -40 °C, 1.40 g/100g methanol at 25 °C, 1.86 g/100 g monoethanolamine at 25 °C /Table/

Feldman SR et al; Sodium Chloride. Kirk-Othmer Encyclopedia of Chemical Technology. (1999-2013). New York, NY John Wiley & Sons. Online Posting Date 14 Oct 2011

Hazardous Substances Data Bank (HSDB)

One gram dissolves in ... 2.6 mL boiling water, in 10 mL glycerol

O'Neil, M.J. (ed.). The Merck Index - An Encyclopedia of Chemicals, Drugs, and Biologicals. Cambridge, UK Royal Society of Chemistry, 2013., p. 1596

Hazardous Substances Data Bank (HSDB)

3.2.7 Density

2.17 at 25 °C/4 °C

Haynes, W.M. (ed.). CRC Handbook of Chemistry and Physics. 94th Edition. CRC Press LLC, Boca Raton FL 2013-2014, p. 4-89

Hazardous Substances Data Bank (HSDB)

Enthalpy of formation: -410.9 kJ/mol at 25 °C; Density of molten sodium chloride at 850 °C: 1.549 g/cu cm; latent heat of fusion: 0.52 kJ/g

Westphal G et al; Sodium Chloride. Ullmann's Encyclopedia of Industrial Chemistry. 7th ed. (1999-2013). New York, NY John Wiley & Sons. Online Posting Date 5 Jan 2010

Hazardous Substances Data Bank (HSDB)

3.2.8 Vapor Pressure

VP: 1 mm Hg at 865 °C

Lewis, R.J. Sr. (ed) Sax's Dangerous Properties of Industrial Materials. 11th Edition. Wiley-Interscience, Wiley & Sons, Inc. Hoboken, NJ. 2004., p. V3 3238

Hazardous Substances Data Bank (HSDB)

3.2.9 Stability/Shelf Life

Stable under recommended storage conditions.

Sigma-Aldrich; Material Safety Data Sheet for Sodium Chloride, Product Number S9888, Version 5.3 (Revision Date 2/24/2014). Available from, as of March 28, 2014 ***https://www.sigmaaldrich.com/safety-center.html***

Hazardous Substances Data Bank (HSDB)

3.2.10 Decomposition

When heated to decomposition it emits toxic fumes of /hydrochloric acid and disodium oxide/.

Lewis, R.J. Sr. (ed) Sax's Dangerous Properties of Industrial Materials. 11th Edition. Wiley-Interscience, Wiley & Sons, Inc. Hoboken, NJ. 2004., p. 3239

Hazardous Substances Data Bank (HSDB)

3.2.11 Viscosity

Viscosity of saturated aqueous solution = 1.93 mPa-s

Westphal G et al; Sodium Chloride. Ullmann's Encyclopedia of Industrial Chemistry. 7th ed. (1999-2013). New York, NY John Wiley & Sons. Online Posting Date 5 Jan 2010

Hazardous Substances Data Bank (HSDB)

3.2.12 Corrosivity

Sodium chloride solutions are corrosive to base metals

We tphal G et al Sodium Chloride Ullmann' Encyclopedia of Indu trial Chemi try 7th ed (1999 013) New York NY John Wiley & Son Online o ting Date 5 Jan 010

Hazardous Substances Data Bank (HSDB)

3.2.13 pH

pH = 6.7 to 7.3; its aqueous solution is neutral

O'Neil, M.J. (ed.). The Merck Index - An Encyclopedia of Chemicals, Drugs, and Biologicals. Cambridge, UK Royal Society of Chemistry, 2013., p. 1596

Hazardous Substances Data Bank (HSDB)

3.2.14 Surface Tension

110 mN/m at 850 °C /Molten sodium chloride/

Westphal G et al; Sodium Chloride. Ullmann's Encyclopedia of Industrial Chemistry. 7th ed. (1999-2013). New York, NY John Wiley & Sons. Online Posting Date 5 Jan 2010

Hazardous Substances Data Bank (HSDB)

3.2.15 Refractive Index

Index of refraction: 1.5442 /Table/

Feldman SR et al; Sodium Chloride. Kirk-Othmer Encyclopedia of Chemical Technology. (1999-2013). New York, NY John Wiley & Sons. Online Posting Date 14 Oct 2011

Hazardous Substances Data Bank (HSDB)

3.2.16 Other Experimental Properties

A 23% aqueous solution of sodium chloride freezes at -20.5 °C. ... Density of saturated aqueous solution at 25 °C is 1.202 ... Begins to volatilize at a little above its melting point. ... Its solubility is decreased by **hydrogen chloride**.

O'Neil, M.J. (ed.). The Merck Index - An Encyclopedia of Chemicals, Drugs, and Biologicals. Cambridge, UK Royal Society of Chemistry, 2013., p. 1596

Hazardous Substances Data Bank (HSDB)

Somewhat hygroscopic

Lewis, R.J. Sr.; Hawley's Condensed Chemical Dictionary 15th Edition. John Wiley & Sons, Inc. New York, NY 2007., p. 1140

Hazardous Substances Data Bank (HSDB)

Specific heat = 0.853 J/g-k; hardness Mohs' scale: 2.5; critical humidity at 20 °C: 75.3%; heat of solution, 1 kg H_2O, 25 °C: 3.757 kJ/mol /Table/

Feldman SR et al; Sodium Chloride. Kirk-Othmer Encyclopedia of Chemical Technology. (1999-2013). New York, NY John Wiley & Sons. Online Posting Date 14 Oct 2011

Hazardous Substances Data Bank (HSDB)

3.2.17 Chemical Classes

Metals -> Metals, Inorganic Compounds

Haz-Map, Information on Hazardous Chemicals and Occupational Diseases

4 Related Records

4.1 Related Compounds with Annotation

PubChem

4.2 Component Compounds

CID 313 (Hydrochloric Acid)

CID 5360545 (Sodium)

PubChem

4.3 Related Compounds

Same Connectivity	5 Records
Mixtures, Components, and Neutralized Forms	2 Records
Similar Compounds	11 Records

PubChem

4.4 Substances

4 4 1 Related Substances

Same	426 Records

PubChem

4.4.2 Substances by Category

PubChem

4 5 Entrez Cro link

PubMed	187 Records

Taxonomy	14 Records
OMIM	4 Records
Gene	277 Records

PubChem

4.6 NCBI LinkOut

NCBI

5 Chemical Vendors

PubChem

6 Drug and Medication Information

6.1 Drug Indication

This intravenous solution is indicated for use in adults and pediatric patients as a source of electrolytes and water for hydration. Also, designed for use as a diluent and delivery system for intermittent intravenous administration of compatible drug additives.

▸ DrugBank

6.2 WHO Essential Medicines

Drug	Drug Classes	Formulation	Indication
Sodium chloride	Solutions correcting water, electrolyte and acid-base disturbances -> Parenteral	Parenteral - General injections - IV: 0 9% isotonic (equivalent to Na+ 154 mmol/L and Cl- 154 mmol/L)	Other specified disorders of fluid, electrolyte or acid-base balance [co-prescribed with B05XA03]

▸ WHO Model Lists of Essential Medicines

6.3 FDA Orange Book

▸ FDA Orange Book

6.4 FDA National Drug Code Directory

▸ National Drug Code (NDC) Directory

SEA SALT is an active ingredient in the product DETERGENT.

▸ National Drug Code (NDC) Directory

SODIUM CHLORIDE is an active ingredient in 500 products including: '0.9% SODIUM CHLORIDE', '10 PARASITE DETOX', and '2 TRANSFORM'.

▸ National Drug Code (NDC) Directory

6.5 Drug Labels for Ingredients

Showing 2 of 36 View More

Label Title	PROCALAMINE- glycerin, isoleucine, leucine, lysine, methionine, phenylalanine, threonine, tryptophan, valine, alanine, glycine, arginine, histidine, proline, serine, cysteine, sodium acetate, magnesium acetate, calcium acetate, sodium chloride, potassium chloride, phosphoric acid, and potassium metabisulfite injection
Drug Ingredient	AMINO ACIDS; CALCIUM ACETATE; GLYCERIN; MAGNESIUM ACETATE; PHOSPHORIC ACID; POTASSIUM CHLORIDE; SODIUM ACETATE; SODIUM CHLORIDE
Label Download	PDF Label
NDC Code(s)	0264-1915-07

3764

Packager	B Braun Medical Inc

DailyMed

Label Information	Total 4 labels
Drug Ingredient	ASCORBIC ACID; POLYETHYLENE GLYCOL 3350; POTASSIUM CHLORIDE; SODIUM ASCORBATE; SODIUM CHLORIDE; SODIUM SULFATE
NDC Code(s)	54868-5890-0, 65649-201-75, 65649-201-76, 65649-400-01, 65649-400-02, 68682-201-75
Packagers	Oceanside Pharmaceuticals; Physicians Total Care, Inc ; Salix Pharmaceuticals, Inc; Salix Pharmaceuticals, Inc

DailyMed

6.6 Clinical Trials

6.6.1 ClinicalTrials.gov

ClinicalTrials.gov

6.6.2 EU Clinical Trials Register

EU Clinical Trials Register

6.6.3 NIPH Clinical Trials Search of Japan

NIPH Clinical Trials Search of Japan

6.7 Therapeutic Uses

Sodium chloride injections are used as a source of sodium chloride and water for hydration. Sodium chloride is used in the prevention or treatment of deficiencies of sodium and chloride ions and in the prevention of muscle cramps and heat prostration resulting from excessive perspiration during exposure to high temperature. Sodium chloride is also used to treat deficiencies of sodium and chloride caused by excessive diuresis or excessive salt restriction.

American Society of Health-System Pharmacists 2013; Drug Information 2013. Bethesda, MD. 2013, p. 2758

▸ Hazardous Substances Data Bank (HSDB)

0.45% Sodium chloride injection is used principally as a hydrating solution and may be used to assess renal function status, since more water is provided than is required for excretion of salt. 0.45% Sodium chloride injection is also used in the management of hyperosmolar diabetes.

American Society of Health-System Pharmacists 2013; Drug Information 2013. Bethesda, MD. 2013, p. 2758

▸ Hazardous Substances Data Bank (HSDB)

0.9% Sodium chloride injection is used for extracellular fluid replacement and in the management of metabolic alkalosis in the presence of fluid loss and mild sodium depletion. 0.9% Sodium chloride injection (normal saline) is also used as a priming fluid for hemodialysis procedures and to initiate and terminate blood transfusions.

American Society of Health-System Pharmacists 2013; Drug Information 2013. Bethesda, MD. 2013, p. 2758

▸ Hazardous Substances Data Bank (HSDB)

Hypertonic (i.e., 3%, 5%) sodium chloride injection is used in the management of severe sodium chloride depletion when rapid electrolyte restoration is essential. Severe sodium chloride depletion may occur in the presence of heart failure or renal impairment, or during surgery or postoperatively. In these conditions, chloride loss often exceeds sodium loss. Hypertonic sodium chloride injections are also used in the management of hyponatremia and hypochloremia resulting from administration of sodium-free fluids during fluid and electrolyte therapy; in the management of extreme dilution of extracellular fluid following excessive water intake (e.g., that resulting from multiple enemas or perfusion of irrigating solutions into open venous sinuses during transurethral prostatic resections); and in the emergency treatment of severe sodium chloride depletion resulting from excess sweating, vomiting, diarrhea, and other conditions.

American Society of Health-System Pharmacists 2013; Drug Information 2013. Bethesda, MD. 2013, p. 2758

▸ Hazardous Substances Data Bank (HSDB)

For more Therapeutic Uses (Complete) data for SODIUM CHLORIDE (13 total), please visit the HSDB record page.

▸ Hazardous Substances Data Bank (HSDB)

6.8 Drug Warnings

Bacteriostatic sodium chloride injection containing benzyl alcohol as a preservative (antimicrobial agent) should not be used for diluting or reconstituting drugs for administration in neonates nor should it be used to flush intravascular catheters in neonates. Several deaths have been reported in neonates weighing less than 2.5 kg in whom bacteriostatic sodium chloride for injection containing 0.9% benzyl alcohol was used for flushing IV catheters; some of these neonates received additional benzyl alcohol when bacteriostatic sodium chloride injection was used to dilute or reconstitute drugs. The deaths were usually preceded by a syndrome that included metabolic acidosis, CNS depression, respiratory distress progressing to gasping respiration, hypotension, renal failure, and, occasionally, seizures and intracranial hemorrhage. High concentrations of benzyl alcohol, benzoic acid, and hippuric acid (a metabolite) were present in blood and urine in these neonates. Benzyl alcohol toxicity apparently was caused by administration of relatively large daily doses (99-404 mg/kg daily) of the preservative in proportion to the neonate's weight. Although these neonates had biochemical evidence of benzyl alcohol toxicity, they also had serious underlying conditions.

American Society of Health-System Pharmacists 2013; Drug Information 2013. Bethesda, MD. 2013, p. 2759

▸ Hazardous Substances Data Bank (HSDB)

Sodium chloride is contraindicated in patients with conditions in which administration of sodium and chloride is detrimental. Sodium chloride 3 and 5% injections are also contraindicated in the presence of increased, normal, or only slightly decreased serum electrolyte concentrations.

American Society of Health-System Pharmacists 2013; Drug Information 2013. Bethesda, MD. 2013, p. 2759

▸ Hazardous Substances Data Bank (HSDB)

Sodium chloride should be used with extreme caution, if at all, in patients with congestive heart failure or other edematous or sodium-retaining conditions, in patients with severe renal insufficiency, in patients with liver cirrhosis, and in patients receiving corticosteroids or corticotropin; particular caution is necessary in geriatric or postoperative patients. IV administration of sodium chloride may cause fluid and/or solute overload resulting in dilution of serum electrolytes, overhydration, congestive conditions, or pulmonary edema. The risk of dilutional conditions is inversely proportional to the electrolyte concentration administered, and the risk of solute overload and resultant congestive conditions with peripheral and/or pulmonary edema is directly proportional to the electrolyte concentration administered. The manufacturers warn that excessive IV administration of sodium chloride may result in hypokalemia.

American Society of Health-System Pharmacists 2013; Drug Information 2013. Bethesda, MD. 2013, p. 2759

▸ Hazardous Substances Data Bank (HSDB)

Changes in fluid balance, electrolyte concentrations, and acid-base balance should be evaluated clinically and via periodic laboratory determinations during prolonged therapy with sodium chloride and in patients whose condition warrants such evaluation. Substantial changes may require additional electrolyte supplements or other appropriate therapy. Additional electrolyte supplementation may also be required in patients with substantial electrolyte losses resulting from conditions such as protracted nasogastric suctioning, vomiting, diarrhea, or GI fistula drainage.

American Society of Health-System Pharmacists 2013; Drug Information 2013. Bethesda, MD. 2013, p. 2759

▸ Hazardous Substances Data Bank (HSDB)

For more Drug Warnings (Complete) data for SODIUM CHLORIDE (12 total), please visit the HSDB record page.

▸ Hazardous Substances Data Bank (HSDB)

6.9 Reported Fatal Dose

The estimated fatal dose of sodium chloride is approximately 0.75 to 3.00 g/kg.

Dart, R.C. (ed). Medical Toxicology. Third Edition, Lippincott Williams & Wilkins. Philadelphia, PA. 2004., p. 1057

▸ Hazardous Substances Data Bank (HSDB)

An estimated dose of more than 400 mEq/kg resulted in brain injury and death in a 2 year old child given a salt water solution to induce emesis.

Dart, R.C. (ed). Medical Toxicology. Third Edition, Lippincott Williams & Wilkins. Philadelphia, PA. 2004., p. 1057

▸ **Hazardous Substances Data Bank (HSDB)**

LD50 3000 mg/kg (oral, rat), LD50 1000 mg/kg (humans)

▸ **Toxin and Toxin Target Database (T3DB)**

7 Food Additives and Ingredients

7.1 Food Additive Classes

JECFA Functional Classes

Food Additives -> FOOD_ADDITIVE;

Joint FAO/WHO Expert Committee on Food Additives (JECFA)

7.2 FDA Substances Added to Food

Substance	SODIUM CHLORIDE
Used for (Technical Effect)	STABILIZER OR THICKENER
Document Number (21 CFR)	172.177 172.430 172.490 172.840 172.861 182.1 182.70 182.90

FDA Center for Food Safety and Applied Nutrition (CFSAN)

7.3 Evaluations of the Joint FAO/WHO Expert Committee on Food Additives - JECFA

Chemical Name	SODIUM CHLORIDE
Evaluation Year	1985
Report	TRS 733-JECFA 29/13

Joint FAO/WHO Expert Committee on Food Additives (JECFA)

8 Agrochemical Information

8.1 Agrochemical Category

Pesticide active substances

EU Pesticides Database

8.2 EU Pesticides Data

Active Substance	sodium chloride
Status	Approved [Reg (EC) No 1107/2009]
Legislation	2004/129/EC, Reg (EU) 2017/1529, Reg (EU) 2021/556

EU Pesticides Database

9 Pharmacology and Biochemistry

9.1 Pharmacodynamics

Sodium, the major cation of the extracellular fluid, functions primarily in the control of water distribution, fluid balance, and osmotic pressure of body fluids. Sodium is also associated with chloride and bicarbonate in the regulation of the acid-base equilibrium of body fluid. Chloride, the major extracellular anion, closely follows the metabolism of sodium, and changes in the acid-base balance of the body are reflected by changes in the chloride concentration.

DrugBank

9.2 FDA Pharmacological Classification

Non-Proprietary Name	NATRUM MURIATICUM
Pharmacological Classes	Inhibition Large Intestine Fluid/Electrolyte Absorption [PE]; Osmotic Activity [MoA]; Osmotic Laxative [EPC]; Increased Large Intestinal Motility [PE]

National Drug Code (NDC) Directory

Non-Proprietary Name	SODIUM CHLORIDE
Pharmacological Classes	Inhibition Large Intestine Fluid/Electrolyte Absorption [PE]; Osmotic Activity [MoA]; Osmotic Laxative [EPC]; Increased Large Intestinal Motility [PE]

National Drug Code (NDC) Directory

9.3 ATC Code

A - Alimentary tract and metabolism

A12 - Mineral supplements

A12C - Other mineral supplements

A12CA - Sodium

A12CA01 - Sodium chloride

WHO Anatomical Therapeutic Chemical (ATC) Classification

B - Blood and blood forming organs

B05 - Blood substitutes and perfusion solutions

B05C - Irrigating solutions

B05CB - Salt solutions

B05CB01 - Sodium chloride

WHO Anatomical Therapeutic Chemical (ATC) Classification

B - Blood and blood forming organs

B05 - Blood substitutes and perfusion solutions

B05X - I.v. solution additives

B05XA - Electrolyte solutions

B05XA03 - Sodium chloride

WHO Anatomical Therapeutic Chemical (ATC) Classification

S - Sensory organs

S01 - Ophthalmologicals

S01X - Other ophthalmologicals

S01XA - Other ophthalmologicals

S01XA03 - Sodium chloride, hypertonic

WHO Anatomical Therapeutic Chemical (ATC) Classification

9.4 Bionecessity

Solutions of sodium chloride closely approximate the composition of the extracellular fluid of the body. A 0.9% solution of sodium chloride (i.e., isotonic) has approximately the same osmotic pressure as body fluids. Sodium chloride provides electrolyte supplementation. Sodium is the major cation of extracellular fluid and functions principally in the control of water distribution, fluid and electrolyte balance, and osmotic pressure of body fluids. Sodium is also associated with chloride and bicarbonate in the regulation of acid-base balance. Chloride, the major extracellular anion, closely follows the physiologic disposition of sodium, and changes in the acid-base balance of the body are reflected by changes in serum chloride concentration.

American Society of Health-System Pharmacists 2013; Drug Information 2013. Bethesda, MD. 2013, p. 2759

Hazardous Substances Data Bank (HSDB)

/VET:/ Horses are most likely to develop signs of salt (NaCl) deficiency when worked hard in hot weather. Sweat and urinary losses are appreciable. Horses deprived of salt tire easily, stop sweating, and exhibit muscle spasms if exercised strenuously. Hemoconcentration and acidosis may be expected. Anorexia and pica may be evident in chronic deprivation, although these are not specific signs of salt deficiency. In lactating mares, milk production seriously declines. Polyuria and polydipsia secondary to renal medullary washout may be seen in prolonged deficits.

Kahn, C.M (ed.).; The Merck Veterinary Manual 10th Edition. Merck & Co. Whitehouse Station NJ. 2010, p. 2063

Hazardous Substances Data Bank (HSDB)

Essential in diet to maintain chloride balance in body.

Lewis, R.J. Sr.; Hawley's Condensed Chemical Dictionary 15th Edition. John Wiley & Sons, Inc. New York, NY 2007., p. 1140

Hazardous Substances Data Bank (HSDB)

/VET:/ Pigs fed diets low in salt (NaCl) grow poorly and inefficiently, due largely to a marked reduction in feed intake. Though not specific for salt deficiency, poor hair and skin condition may also develop. There have been reports of salt-deficient pigs attempting to consume urine of other pigs.

Kahn, C.M (ed.).; The Merck Veterinary Manual 10th Edition. Merck & Co. Whitehouse Station NJ. 2010, p. 2078

Hazardous Substances Data Bank (HSDB)

/VET:/ Sodium is the main cation and chloride is the main anion in the regulation of osmotic balance in the extracellular fluid (ECF) of the body. Serum sodium concentration and serum osmolarity are normally maintained under precise control by homeostatic mechanisms involving thirst, antidiuretic hormone and renal reabsorption of filtered sodium. Normal reference ranges for serum sodium in adult animals (given in mmol/L) include porcine 135-150, bovine 132-152, canine 141-152 and equine 132-146.

Gupta, R. C. (ed.) Veterinary Toxicology Basic and Clinical Principles. 1st ed. New York, NY, p.461 (2007)

Hazardous Substances Data Bank (HSDB)

9.5 Absorption, Distribution and Excretion

Absorption

Absorption of sodium in the small intestine plays an important role in the absorption of chloride, amino acids, glucose, and water. Chloride, in the form of hydrochloric acid (HCl), is also an important component of gastric juice, which aids the digestion and absorption of many nutrients.

DrugBank

Route of Elimination

Substantially excreted by the kidneys.

DrugBank

Volume of Distribution

The volume of distribution is 0.64 L/kg.

DrugBank

The primary route of sodium excretion is the urine; additional excretion occurs in sweat and feces. The kidney filters sodium a the glomerulus, but 60% to 70% is reabsorbed in the proximal tubules along with bicarbonate and water. Another 25% to 30% is reabsorbed in the loop of Henle, along with chloride and water. In the distal tubules, aldosterone modulates the reabsorption of sodium and, indirectly, chloride. The renal threshold for sodium is 110 to 130 mEq/L. Less than 1% of the filtered sodium is excreted in the urine.

Dart, R.C. (ed). Medical Toxicology. Third Edition, Lippincott Williams & Wilkins. Philadelphia, PA. 2004., p. 1057

Hazardous Substances Data Bank (HSDB)

Sodium is rapidly absorbed from the GI tract; it is also absorbed from rectal enemas. Intestinal wall absorption occurs via the Na+, K+-adenosine triphosphatase system that is augmented by aldosterone and desoxycorticosterone acetate. Sodium is not bound by plasma proteins. The volume of distribution is 0.64 L/kg.

Dart, R.C. (ed). Medical Toxicology. Third Edition, Lippincott Williams & Wilkins. Philadelphia, PA. 2004., p. 1057

Hazardous Substances Data Bank (HSDB)

In one study using radiolabeled 20% sodium chloride injection, most of the drug concentrated in the decidua and the fetal part of the placenta following intra-amniotic injection. Following intra-amniotic administration of 20% sodium chloride injection, some of the drug diffuses into the maternal blood.

American Society of Health-System Pharmacists 2013; Drug Information 2013. Bethesda, MD. 2013, p. 3323

Hazardous Substances Data Bank (HSDB)

Atrichial sweat glands ... are the organs by which considerable body water and electrolytes, mainly sodium chloride, are lost.

Bingham, E.; Cohrssen, B.; Powell, C.H.; Patty's Toxicology Volumes 1-9 5th ed. John Wiley & Sons. New York, N.Y. (2001)., p. 8 69

Hazardous Substances Data Bank (HSDB)

For more Absorption, Distribution and Excretion (Complete) data for SODIUM CHLORIDE (6 total), please visit the HSDB record page.

Hazardous Substances Data Bank (HSDB)

9.6 Metabolism/Metabolites

The salt that is taken in to gastro intestinal tract remains for the most part unabsorbed as the liquid contents pass through the stomach and small bowel. On reaching the colon this salt, together with the water is taken in to the blood. As excesses are absorbed the kidney is constantly excreting sodium chloride, so that the chloride level in the blood and tissues remains fairly constant.Further more, if the chloride intake ceases, the kidney ceases to excrete chlorides. Body maintains an equilibrium retaining the 300gm of salt dissolved in the blood and fluid elements of the tissue dissociated into sodium ions and chloride ions.

DrugBank

9.7 Biological Half-Life

17 minutes

DrugBank

9.8 Mechanism of Action

Sodium and **chloride** — major electrolytes of the fluid compartment outside of cells (i.e., extracellular) — work together to control extracellular volume and blood pressure. Disturbances in **sodium** concentrations in the extracellular fluid are associated with disorders of **water** balance.

▸ DrugBank

Intra-amniotic instillation of 20% sodium chloride injection induces abortion and fetal death. Although the mechanism has not been conclusively determined, some studies indicate that the drug's abortifacient activity may be mediated by prostaglandins released from decidual cells damaged by hypertonic solutions of sodium chloride. Hypertonic sodium chloride-induced uterine contractions are usually sufficient to cause evacuation of both the fetus and placenta; however, abortion may be incomplete in 25-40% of patients. /20% injection/

American Society of Health-System Pharmacists 2013; Drug Information 2013. Bethesda, MD. 2013, p. 3323

▸ Hazardous Substances Data Bank (HSDB)

10 Use and Manufacturing

10.1 Uses

EPA CPDat Chemical and Product Categories

The Chemical and Products Database, a resource for exposure-relevant data on chemicals in consumer products, Scientific Data, volume 5, Article number 180125 (2018), DOI:10.1038/sdata.2018.125

▸ EPA Chemical and Products Database (CPDat)

Sources/Uses

Sodium chloride (NaCl). A colorless, cubic crystal or white, crystalline powder, found widely distributed over the earth, in sea water, etc., which is a necessary constituent of the body and consequently of the diet. It makes up over 90 percent of the inorganic constituents of the blood serum and is the principal salt involved in maintaining osmotic tension of the blood and tissues. (From Dorland, 27th ed) [ChemIDplus] Used in the hide preservation and pickling stages of leather production; [PMID 21938525]

PMID:21938525

▸ Haz-Map, Information on Hazardous Chemicals and Occupational Diseases

Industrial Processes with risk of exposure

Leather Tanning and Processing [Category: Industry]

▸ Haz-Map, Information on Hazardous Chemicals and Occupational Diseases

For sodium chloride (USEPA/OPP Pesticide Code: 013905) ACTIVE products with label matches. /SRP: Registered for use in the U.S. but approved pesticide uses may change periodically and so federal, state and local authorities must be consulted for currently approved uses./

National Pesticide Information Retrieval System's Database on Sodium Chloride (7647-14-5). Available from, as of February 18, 2014 https://npirspublic.ceris.purdue.edu/ppis/

▸ Hazardous Substances Data Bank (HSDB)

Over 14,000 different uses for salt have been identified ...the salt industry generally classifies salt uses by 5 principal categories: 1) chemical; 2) highway deicing and stabilization; 3) food use and processing; 4) agriculture; 5) water conditioning. Remaining uses are categorized as miscellaneous.

Feldman SR et al; Sodium Chloride. Kirk-Othmer Encyclopedia of Chemical Technology. (1999-2013). New York, NY John Wiley & Sons. Online Posting Date 14 Oct 2011

▸ Hazardous Substances Data Bank (HSDB)

The major industries that use salt include in descending order of quantity consumed oil and gas exploration, textiles, dyeing, pulp and paper, metal processing, tanning and leather treatment, and rubber manufacture

Feldman SR et al; Sodium Chloride. Kirk-Othmer Encyclopedia of Chemical Technology. (1999-2013). New York, NY John Wiley & Sons. Online Posting Date 14 Oct 2011

▸ Hazardous Substances Data Bank (HSDB)

Chemical (sodium hydroxide, soda ash, hydrogen chloride, chlorine, metallic sodium), ceramic glazes, metallurgy, curing of hides, food preservative, mineral waters, soap manufacture (salting out), home water softeners, highway deicing, regeneration of ion-exchange resins, photography, food seasoning, herbicide, fire extinguishing, nuclear reactors, mouthwash, medicine (heat exhaustion), salting out dyestuffs, supercooled solutions. Single crystals are used for spectroscopy, UV, and infrared transmissions.

Lewis, R.J. Sr.; Hawley's Condensed Chemical Dictionary 15th Edition. John Wiley & Sons, Inc. New York, NY 2007., p. 1140

▸ Hazardous Substances Data Bank (HSDB)

For more Uses (Complete) data for SODIUM CHLORIDE (11 total), please visit the HSDB record page.

▸ Hazardous Substances Data Bank (HSDB)

Salt is used for food flavouring, food, plastic production, paper production, water conditioning, de-icing, agricultural applications. Salt is produced from salt mines or by the evaporation of seawater or mineral-rich spring water in shallow pools.

▸ Toxin and Toxin Target Database (T3DB)

Mineral Description

Salt, also known as sodium chloride, has many end uses. Virtually every person in the world has some direct or indirect contact with salt daily. People routinely add salt to their food as a flavor enhancer or apply rock salt to walkways to remove ice in the winter. Salt is used as feedstock for chlorine and caustic soda manufacture; these two inorganic chemicals are used to make many consumer-related end-use products, such as polyvinyl chloride (PVC) plastic made from chlorine and paper-pulping chemicals manufactured from caustic soda.

▸ USGS National Minerals Information Center

USGS Mineral Commodity Summaries (PDF links)

2010 | 2011 | 2012 | 2013 | 2014 | 2015 | 2016 | 2017 | 2018 | 2019 | 2020 | 2021 | 2022

- USGS National Minerals Information Center

USGS Mineral Yearbook (PDF links)

2010 | 2011 | 2012 | 2013 | 2014 | 2015 | 2016 | 2017 |

- USGS National Minerals Information Center

10.1.1 Use Classification

EPA Safer Chemical Functional Use Classes -> Processing Aids and Additives

- EPA Safer Choice

Safer Chemical Classes -> Green circle - The chemical has been verified to be of low concern

- EPA Safer Choice

Agrochemicals -> Pesticides

- EU Pesticides Database

Human Drugs -> FDA Approved Drug Products with Therapeutic Equivalence Evaluations (Orange Book) -> Active Ingredients

- FDA Orange Book

Food Additives -> FOOD_ADDITIVE; -> JECFA Functional Classes

- Joint FAO/WHO Expert Committee on Food Additives (JECFA)

Cosmetics -> Bulking; Viscosity controlling

S13 | EUCOSMETICS | Combined Inventory of Ingredients Employed in Cosmetic Products (2000) and Revised Inventory (2006) | ***DOI:10.5281/zenodo.2624118***

- NORMAN Suspect List Exchange

10.1.2 Industry Uses

Absorbent	Hardener	Processing aids, specific to petroleum production
Agricultural chemicals (non-pesticidal)	Intermediate	Softener and conditioner
Anti-adhesive agents	Intermediates	Soil amendments (fertilizers)
Anti-static agent	Laboratory chemicals	Solids separation (precipitating) agent, not otherwise specified
Bleaching agent	Not Known or Reasonably Ascertainable	Stabilizing agent
Bleaching agents	Other	Surface active agents
Catalyst	Other (specify)	Surface modifier
Cleaning agent	Paint additives and coating additives not described by other categories	Surfactant (surface active agent)
Deodorizer	Pigment	Viscosity adjustors
Dye	Plating agents and surface treating agents	pH regulating agent
Filler	Preservative	
Flotation agent	Processing aids not otherwise specified	
Flux agent	Processing aids, not otherwise listed	

https://www.epa.gov/chemical-data-reporting

- EPA Chemicals under the TSCA

10.1.3 Consumer Uses

Adhesion/cohesion promoter	Pigment
Agricultural chemicals (non-pesticidal)	Plating agents and surface treating agents
Bleaching agents	Preservative
Brightener	Processing aids, not otherwise listed
Catalyst	Soil amendments (fertilizers)
Deodorizer	Surface active agents
Dye	Surface modifier
Filler	Surfactant (surface active agent)
Intermediates	Thickening agent
Not Known or Reasonably Ascertainable	
Other	
Other (specify)	
Paint additives and coating additives not described by other categories	

https://www.epa.gov/chemical-data-reporting

- EPA Chemicals under the TSCA

10.1.4 Household Products

Household & Commercial/Institutional Products

Information on 1864 consumer products that contain Sodium chloride in the following categories is provided

- Auto Products
- Commercial / nstitutional
- Home Maintenance
- nside the Home
- Landscaping/Yard
- Personal Care
- Pesticides
- Pet Care

▸ Consumer Product Information Database (CPID)

10.2 Methods of Manufacturing

An underground salt deposit may be solution-mined by drilling wells into halite veins, injecting fresh or recycled water through the well casings to dissolve the salt, and leaving a residence time long enough for the brine solution to reach saturation with sodium chloride. ... The resulting brine is extracted through other wells in the same brine field or gallery. Insoluble impurities, such as anhydrite (calcium sulfate) settle out in the underground gallery, while the saturated sodium chloride brine, called green brine (untreated or refined), is pumped to holding tanks on the surface. ... Green brine is pumped from the underground cavern and transported via pipeline to the nearby salt refinery for processing into evaporated-granulated salt or is used as a feedstock for chloralkali production. ... Nearly all food-grade salt sold or used in the United States is currently produced by vacuum pan evaporation of saturated brine.

Feldman SR; Sodium Chloride. Kirk-Othmer Encyclopedia of Chemical Technology (1999-2014). John Wiley & Sons, Inc. Online Posting Date October 14, 2011

▸ Hazardous Substances Data Bank (HSDB)

Conventional Underground Mining: Rock salt is mined from underground deposits by drilling and blasting. ... Since the late 1950s the use of continuous mining machines has increased in salt mines. These "continuous miners" have movable, rotating heads with carbide-tipped cutting bits. The mining machines bore into the salt, eliminating the need for undercutting, drilling, and blasting steps ... The crushed salt is transported from the primary crusher via conveyor belt to secondand third-stage crushers, and then to screening stations for separation into standard product grades established for specific end uses.

Feldman SR; Sodium Chloride. Kirk-Othmer Encyclopedia of Chemical Technology (1999-2014). John Wiley & Sons, Inc. Online Posting Date October 14, 2011

▸ Hazardous Substances Data Bank (HSDB)

Commercial solar salt is produced by natural evaporation of seawater or brine in large, diked, earthen ponds called condensers. Evaporation is carried out by solar radiation and wind action, producing concentrated brine containing dissolved mineral salts. The process for separation of crystal types is known as fractional crystallization. ... Solar salt production begins as the brine source, usually seawater, enters the solar pond system and moves in turn from one pond to the next either by pumping or by gravity. ... Sodium chloride precipitates with continuing evaporation, forming a salt layer 10-25-cm thick. ... It takes up to two years to produce salt from the time seawater is introduced into the salt pond system. ... The harvested salt is loaded into trucks and transported to a wash plant, where the salt is washed with clean, nearly saturated brine to remove particulate matter and to replace magnesium-laden brine clinging to the salt crystals.

Feldman SR; Sodium Chloride. Kirk-Othmer Encyclopedia of Chemical Technology (1999-2014). John Wiley & Sons, Inc. Online Posting Date October 14, 2011

▸ Hazardous Substances Data Bank (HSDB)

Method of purification: Recrystallization.

Lewis, R.J. Sr.; Hawley's Condensed Chemical Dictionary 15th Edition. John Wiley & Sons, Inc. New York, NY 2007., p. 1140

▸ Hazardous Substances Data Bank (HSDB)

Sodium chloride, or rock salt, is obtained from underground room and pillar mining or solution mining (in which water is pumped into a rock salt deposit, brought back to the surface, and evaporated).

Bingham, E.; Cohrssen, B.; Powell, C.H.; Patty's Toxicology Volumes 1-9 5th ed. John Wiley & Sons. New York, N.Y. (2001)., p. 3 783

▸ Hazardous Substances Data Bank (HSDB)

10.3 Impurities

The principal impurity in naturally occurring rock salt is calcium sulfate, generally 1-4%, with small amounts of calcium chloride and magnesium chloride.

Kirk-Othmer Encyclopedia of Chemical Technology. 3rd ed., Volumes 1-26. New York, NY John Wiley and Sons, 1978-1984., p. V21 207 (1983)

▸ Hazardous Substances Data Bank (HSDB)

10.4 Formulations/Preparations

Impregnated material (10% sodium chloride); soluble concentrate/solid (1.5% sodium with 20.4% potassium peroxymonosulfate)

USEPA/Office of Prevention, Pesticides and Toxic Substances; Reregistration Eligibility Decision Document - Inorganic Halides p.5 (September 1993).

▸ Hazardous Substances Data Bank (HSDB)

Intra-amniotic: Injection 20%

American Society of Health-System Pharmacists 2013; Drug Information 2013. Bethesda, MD. 2013, p. 3323

▸ Hazardous Substances Data Bank (HSDB)

Highest purity medicinal, crystals; highest purity, dried; highest purity, fine powder; highest purity, fused; reagent; reagent, fused; sea evaporated; ground; microsized; powdered; table salt; rock salt; chemically pure; United States Pharmacopeia; "Food Chemicals Codex"; single pure crystals.

Lewis, R.J. Sr.; Hawley's Condensed Chemical Dictionary 15th Edition. John Wiley & Sons, Inc. New York, NY 2007., p. 1140

▸ Hazardous Substances Data Bank (HSDB)

... Some rock salt deposits contain pure, crystallized salt. ... This salt is extremely clear and free from defects. It is about 99.8% pure sodium chloride.

Kirk-Othmer Encyclopedia of Chemical Technology. 3rd ed., Volumes 1-26. New York, NY John Wiley and Sons, 1978-1984., p. V21 207 (1983)

Hazardous Substances Data Bank (HSDB)

For more Formulations/Preparations (Complete) data for SODIUM CHLORIDE (12 total), please visit the HSDB record page.

Hazardous Substances Data Bank (HSDB)

10.5 Consumption Patterns

Production of chlorine, caustic soda, and soda ash accounts for about 57% of total usage, mainly in the form of brine. Highway use of rock salt represents about 19% of total tonnage.

Kirk-Othmer Encyclopedia of Chemical Technology. 3rd ed., Volumes 1-26. New York, NY John Wiley and Sons, 1978-1984., p. V21 215 (1983)

Hazardous Substances Data Bank (HSDB)

10.6 U.S. Production

Aggregated Product Volume

2019: 1,000,000,000 - <5,000,000,000 lb

2018: 1,000,000,000 - <5,000,000,000 lb

2017: 1,000,000,000 - <5,000,000,000 lb

2016: 1,000,000,000 - <5,000,000,000 lb

https://www.epa.gov/chemical-data-reporting

EPA Chemicals under the TSCA

Production volumes for non-confidential chemicals reported under the Inventory Update Rule.

Year	Production Range (pounds)
1986	<10 thousand
1990	10 thousand - 500 thousand
1994	10 thousand - 500 thousand
1998	10 thousand - 500 thousand
2002	>1 million - 10 million

US EPA; Non-confidential Production Volume Information Submitted by Companies for Chemicals Under the 1986-2002 Inventory Update Rule (IUR). Sodium Chloride (7647-14-5). Available from, as of February 18, 2014 https://epa.gov/cdr/tools/data/2002-vol.html

Hazardous Substances Data Bank (HSDB)

Production volume for non-confidential chemicals reported under the 2006 Inventory Update Rule. Chemical: Sodium chloride. Aggregated National Production Volume: 100 to < 500 million pounds.

US EPA; Non-Confidential 2006 Inventory Update Reporting. National Chemical Information. Sodium Chloride (7647-14-5). Available from, as of February 18, 2014 https://cfpub.epa.gov/iursearch/index.cfm

Hazardous Substances Data Bank (HSDB)

Non-confidential 2012 Chemical Data Reporting (CDR) information on the production and use of chemicals manufactured or imported into the United States. Chemical: Sodium chloride. National Production Volume: 830,279,683 lb/yr.

USEPA/Pollution Prevention and Toxics; 2012 Chemical Data Reporting Database. Sodium Chloride (7647-14-5). Available from, as of February 18, 2014 https://java.epa.gov/oppt_chemical_search/

Hazardous Substances Data Bank (HSDB)

10.7 U.S. Imports

13,190,739,100 lb

BUREAU OF THE CENSUS. US IMPORTS FOR CONSUMPTION AND GENERAL IMPORTS 1986 P.1-517

Hazardous Substances Data Bank (HSDB)

10.8 General Manufacturing Information

Industry Processing Sectors

Adhesive Manufacturing	Oil and Gas Drilling, Extraction, and Support activities	Transportation Equipment Manufacturing
Agriculture, Forestry, Fishing and Hunting	Other (requires additional information)	Utilities
All Other Basic Inorganic Chemical Manufacturing	Paint and Coating Manufacturing	Wholesale and Retail Trade
All Other Basic Organic Chemical Manufacturing	Paper Manufacturing	Wood Product Manufacturing
All Other Chemical Product and Preparation Manufacturing	Pesticide, Fertilizer, and Other Agricultural Chemical Manufacturing	
Asphalt Paving, Roofing, and Coating Materials Manufacturing	Petrochemical Manufacturing	
Construction	Petroleum Refineries	
Fabricated Metal Product Manufacturing	Primary Metal Manufacturing	
Food, beverage, and tobacco product manufacturing	Printing Ink Manufacturing	
Industrial Gas Manufacturing	Rubber Product Manufacturing	
Mining (except Oil and Gas) and support activities	Services	
Miscellaneous Manufacturing	Soap, Cleaning Compound, and Toilet Preparation Manufacturing	
Not Known or Reasonably Ascertainable	Textiles, apparel, and leather manufacturing	

EPA Chemicals under the TSCA

EPA TSCA Commercial Activity Status

Sodium chloride (NaCl): ACTIVE

https://www.epa.gov/tsca-inventory

EPA Chemicals under the TSCA

The article of commerce is also known as table salt, rock salt, or sea salt. ... Blusalt, a brand of sodium chloride containing trace amounts of cobalt, iodine, iron, copper, manganese, zinc is used in farm animals

O'Neil, M.J. (ed.). The Merck Index - An Encyclopedia of Chemicals, Drugs, and Biologicals. Cambridge, UK Royal Society of Chemistry, 2013., p. 1596

Hazardous Substances Data Bank (HSDB)

Sodium chloride can be added in controlled release by encapsulation, a process that coats salt crystals with partially hydrogenated vegetable oil. Encapsulated salt is used primarily in food processing applications.

Feldman SR et al; Sodium Chloride. Kirk-Othmer Encyclopedia of Chemical Technology. (1999-2013). New York, NY John Wiley & Sons. Online Posting Date 14 Oct 2011

Hazardous Substances Data Bank (HSDB)

... Migrates to food from packaging materials.

Sax, N.I. Dangerous Properties of Industrial Materials. 6th ed. New York, NY Van Nostrand Reinhold, 1984., p. 2419

Hazardous Substances Data Bank (HSDB)

10.9 Sampling Procedures

NIOSH Method 173. Analyte: Sodium. Matrix: Air. Procedure: Filter collection, acid digestion Flow Rate: 1.5 L/min. Sample Size: Not specified. /Sodium/

U.S. Department of Health, Education Welfare, Public Health Service. Center for Disease Control, National Institute for Occupational Safety Health. NIOSH Manual of Analytical Methods. 2nd ed. Volumes 1-7. Washington, DC U.S. Government Printing Office, 1977-present., p. V5 173-1

Hazardous Substances Data Bank (HSDB)

NIOSH Method 7300. Analyte: Sodium. Matrix: Air. Sampler: Filter (0.8 um, cellulose ester membrane) Flow Rate: 1 to 4 L/min. Sample Size: 500 liters. Shipment: Routine. Sample Stability: Stable. /Sodium/

U.S. Department of Health and Human Services, Public Health Service. Centers for Disease Control, National Institute for Occupational Safety and Health. NIOSH Manual of Analytical Methods, 3rd ed. Volumes 1 and 2 with 1985 supplement, and revisions. Washington, DC U.S. Government Printing Office, February 1984., p. 7300-1

Hazardous Substances Data Bank (HSDB)

NIOSH Method 115. Analyte: Chloride. Matrix: Air. Procedure: Collection with an impinger. Flow Rate: 2.5 L/min. Sample Size: 200 liters. /Chloride/

U.S. Department of Health, Education Welfare, Public Health Service. Center for Disease Control, National Institute for Occupational Safety Health. NIOSH Manual of Analytical Methods. 2nd ed. Volumes 1-7. Washington, DC U.S. Government Printing Office, 1977-present., p. V1 115-1

Hazardous Substances Data Bank (HSDB)

NIOSH Method 6011. Analyte: Chloride ion. Matrix: Air. Sampler: Filter (0.45 um, silver membrane). Flow Rate: 0.3 to 1 L/min. Sample Size: 90 liters. Shipment: Routine. Sample Stability: Greater than or equal to 30 days at 25 °C. /Chloride ion/

U.S. Department of Health and Human Services, Public Health Service. Centers for Disease Control, National Institute for Occupational Safety and Health. NIOSH Manual of Analytical Methods, 3rd ed. Volumes 1 and 2 with 1985 supplement, and revisions. Washington, DC U.S. Government Printing Office, February 1984., p. 6011-1

Hazardous Substances Data Bank (HSDB)

11 Identification

11.1 Analytic Laboratory Methods

NIOSH Method: 173. Analyte: Sodium. Matrix: Air. Procedure: Atomic absorption spectrophotometry. This method has a detection limit of 0.0002 and sensitivity of 0.015 ug/mL. The working range for a precision better than 3% RSD/CV is 0.05-1.0 ug/mL. Interference: Spectral, ionization, chemical and physical interferences. /Sodium/

U.S. Department of Health, Education Welfare, Public Health Service. Center for Disease Control, National Institute for Occupational Safety Health. NIOSH Manual of Analytical Methods. 2nd ed. Volumes 1-7. Washington, DC U.S. Government Printing Office, 1977-present., p. 173-1

▸ Hazardous Substances Data Bank (HSDB)

NIOSH Method: 7300. Analyte: Sodium. Matrix: Air. Procedure: Inductively coupled argon plasma, atomic emission spectroscopy. For sodium this method has an estimated detection limit of 10 ng/mL sample. The precision/RSD and the recovery are not determined. Applicability: The working range of this method is 0.005 to 2.0 mg/cu m for each element in a 500 liter air sample. Interferences: Spectral interferences. /Sodium/

U.S. Department of Health and Human Services, Public Health Service. Centers for Disease Control, National Institute for Occupational Safety and Health. NIOSH Manual of Analytical Methods, 3rd ed. Volumes 1 and 2 with 1985 supplement, and revisions. Washington, DC U.S. Government Printing Office, February 1984., p. 7300-1

▸ Hazardous Substances Data Bank (HSDB)

Method 3111-Metals A. Direct Aspiration Atomic Absorption Spectrometry is used for the determination of sodium in water and wastewater. Using air/acetylene as the flame gas at a wavelength of 589.0 nm, the detection limit is 0.002 mg/L, with a sensitivity of 0.015 mg/L, at an optimum concentration range of 0.03-1 mg/l. /Sodium/

Franson MA, ed; Standard Methods for the Examination of Water and Wastewater, 18th ed p.3-9 (1992)

▸ Hazardous Substances Data Bank (HSDB)

Method 3120 A. Emission Spectroscopy for the determination of sodium in water and wastewater samples using an inductively coupled plasma source. The exact choice of emission line is related to sample matrix and instrumentation. A typically used emission line for sodium in water is a wavelength of 589.0 nm, with an estimated detection limit of 30 ug/L. /Total sodium/

Franson MA, ed; Standard Methods for the Examination of Water and Wastewater, 17th ed p.3-53 (1989)

▸ Hazardous Substances Data Bank (HSDB)

For more Analytic Laboratory Methods (Complete) data for SODIUM CHLORIDE (18 total), please visit the HSDB record page.

▸ Hazardous Substances Data Bank (HSDB)

12 Safety and Hazards

12.1 Hazards Identification

12.1.1 EPA Safer Chemical

Chemical: Sodium chloride

Green circle - The chemical has been verified to be of low concern based on experimental and modeled data.

EPA Safer Choice

12.1.2 Hazards Summary

An eye irritant; Toxic after ingestion of large amounts; [CAMEO]

Haz-Map, Information on Hazardous Chemicals and Occupational Diseases

12.1.3 Skin, Eye, and Respiratory Irritations

If heated to high temperatures, sodium chloride evolves a vapor irritating to the eyes.

Rowe, R.C., Sheskey, P.J., Quinn, M.E.; (Eds.), Handbook of Pharmaceutical Excipients 6th edition Pharmaceutical Press, London, England 2009, p. 639

Hazardous Substances Data Bank (HSDB)

12.2 Safety and Hazard Properties

12.2.1 Explosive Limits and Potential

Noncombustible

Lewis, R.J. Sr.; Hawley's Condensed Chemical Dictionary 15th Edition. John Wiley & Sons, Inc. New York, NY 2007., p. 1140

Hazardous Substances Data Bank (HSDB)

12.3 Fire Fighting

12.3.1 Fire Fighting Procedures

Suitable extinguishing media: Use water spray, alcohol-resistant foam, dry chemical or carbon dioxide. Advice for firefighters: Wear self contained breathing apparatus for fire fighting if necessary.

Sigma-Aldrich; Material Safety Data Sheet for Sodium Chloride, Product Number S9888, Version 5.3 (Revision Date 2/24/2014). Available from, as of March 28, 2014 https://www.sigmaaldrich.com/united-states.html

Hazardous Substances Data Bank (HSDB)

12.3.2 Firefighting Hazards

... Explosion /occurs when/ ... molten salt /eg, sodium chloride/ at 1100 °C in accidental contact with water ...

Bretherick, L. Handbook of Reactive Chemical Hazards. 4th ed. Boston, MA Butterworth-Heinemann Ltd., 1990, p. 984

Hazardous Substances Data Bank (HSDB)

12.4 Accidental Release Measures

12.4.1 Cleanup Methods

Personal precautions, protective equipment and emergency procedures: Avoid dust formation. Avoid breathing vapors, mist or gas. Environmental precautions: Do not let product enter drains. Methods and materials for containment and cleaning up: Sweep up and shovel. Keep in suitable, closed containers for disposal.

Sigma-Aldrich; Material Safety Data Sheet for Sodium Chloride, Product Number S9888, Version 5.3 (Revision Date 2/24/2014). Available from, as of March 28, 2014 https://www.sigmaaldrich.com/safety-center.html

Hazardous Substances Data Bank (HSDB)

12.4.2 Disposal Methods

SRP: The most favorable course of action is to use an alternative chemical product with less inherent propensity for occupational harm/injury/toxicity or environmental contamination. Recycle any unused portion of the material for its approved use or return it to the manufacturer or supplier. Ultimate disposal of the chemical must consider: the material's impact on air quality; potential migration in soil or water; effects on animal and plant life; and conformance with environmental and public health regulations.

Hazardous Substances Data Bank (HSDB)

Product: Offer surplus and non-recyclable solutions to a licensed disposal company. Contaminated packaging: Dispose of as unused product.

Sigma-Aldrich; Material Safety Data Sheet for Sodium Chloride, Product Number S9888, Version 5.3 (Revision Date 2/24/2014). Available from, as of March 28, 2014 https://www.sigmaaldrich.com/safety-center.html

Hazardous Substances Data Bank (HSDB)

12.4.3 Preventive Measures

Provide appropriate exhaust ventilation at places where dust is formed.

Sigma-Aldrich; Material Safety Data Sheet for Sodium Chloride, Product Number S9888, Version 5.3 (Revision Date 2/24/2014). Available from, as of March 28, 2014 https://www.sigmaaldrich.com/safety-center.html

▸ Hazardous Substances Data Bank (HSDB)

SRP: The scientific literature for the use of contact lenses by industrial workers is inconsistent. The benefits or detrimental effects of wearing contact lenses depend not only upon the substance, but also on factors including the form of the substance, characteristics and duration of the exposure, the uses of other eye protection equipment, and the hygiene of the lenses. However, there may be individual substances whose irritating or corrosive properties are such that the wearing of contact lenses would be harmful to the eye. In those specific cases, contact lenses should not be worn. In any event, the usual eye protection equipment should be worn even when contact lenses are in place.

▸ Hazardous Substances Data Bank (HSDB)

Gloves must be inspected prior to use. Use proper glove removal technique (without touching glove's outer surface) to avoid skin contact with this product. Dispose of contaminated gloves after use in accordance with applicable laws and good laboratory practices. Wash and dry hands.

Sigma-Aldrich; Material Safety Data Sheet for Sodium Chloride, Product Number S9888, Version 5.3 (Revision Date 2/24/2014). Available from, as of March 28, 2014 https://www.sigmaaldrich.com/safety-center.html

▸ Hazardous Substances Data Bank (HSDB)

Control of environmental exposure: Do not let product enter drains.

Sigma-Aldrich; Material Safety Data Sheet for Sodium Chloride, Product Number S9888, Version 5.3 (Revision Date 2/24/2014). Available from, as of March 28, 2014 https://www.sigmaaldrich.com/safety-center.html

▸ Hazardous Substances Data Bank (HSDB)

12.5 Handling and Storage

12.5.1 Storage Conditions

Bacteriostatic sodium chloride injections should be protected from freezing.

American Society of Health-System Pharmacists 2013; Drug Information 2013. Bethesda, MD. 2013, p. 2759

▸ Hazardous Substances Data Bank (HSDB)

Keep container tightly closed in a dry and well-ventilated place.

Sigma-Aldrich; Material Safety Data Sheet for Sodium Chloride, Product Number S9888, Version 5.3 (Revision Date 2/24/2014). Available from, as of March 28, 2014 https://www.sigmaaldrich.com/safety-center.html

▸ Hazardous Substances Data Bank (HSDB)

12.6 Exposure Control and Personal Protection

12.6.1 Allowable Tolerances

Unless specifically excluded, residues resulting from the use of the following substances as either an inert or an active ingredient in a pesticide chemical formulation, including antimicrobial pesticide chemicals, are exempted from the requirement of a tolerance under FFDCA section 408, if such use is in accordance with good agricultural or manufacturing practices. Sodium chloride is included on this list.

40 CFR 180.950 (USEPA); U.S. National Archives and Records Administration's Electronic Code of Federal Regulations. Available from, as of January 2, 2014 https://www.ecfr.gov/cgi-bin/ECFR?page browse

▸ Hazardous Substances Data Bank (HSDB)

12.6.2 Personal Protective Equipment (PPE)

Skin protection: Handle with gloves.

Sigma-Aldrich; Material Safety Data Sheet for Sodium Chloride, Product Number S9888, Version 5.3 (Revision Date 2/24/2014). Available from, as of March 28, 2014 https://www.sigmaaldrich.com/safety-center.html

▸ Hazardous Substances Data Bank (HSDB)

Eye/face protection: Use equipment for eye protection tested and approved under appropriate government standards such as NIOSH (US) or EN 166(EU).

Sigma-Aldrich; Material Safety Data Sheet for Sodium Chloride, Product Number S9888, Version 5.3 (Revision Date 2/24/2014). Available from, as of March 28, 2014 https://www.sigmaaldrich.com/safety-center.html

▸ Hazardous Substances Data Bank (HSDB)

Respiratory protection: Respiratory protection is not required. Where protection from nuisance levels of dusts are desired, use type N95 (US) or type P1 (EN 143) dust masks. Use respirators and components tested and approved under appropriate government standards such as NIOSH (US) or CEN (EU).

Sigma-Aldrich; Material Safety Data Sheet for Sodium Chloride, Product Number S9888, Version 5.3 (Revision Date 2/24/2014). Available from, as of March 28, 2014 https://www.sigmaaldrich.com/safety-center.html

▸ Hazardous Substances Data Bank (HSDB)

Body Protection: Choose body protection in relation to its type, to the concentration and amount of dangerous substances, and to the specific work-place., The type of protective equipment must be selected according to the concentration and amount of the dangerous substance at the specific workplace.

Sigma-Aldrich; Material Safety Data Sheet for Sodium Chloride, Product Number S9888, Version 5.3 (Revision Date 2/24/2014). Available from, as of March 28, 2014 https://www.sigmaaldrich.com/safety-center.html

▸ Hazardous Substances Data Bank (HSDB)

12.7 Stability and Reactivity

12.7.1 Hazardous Reactivities and Incompatibilities

... /Sodium chloride is/ rapidly attacked by bromine trifluoride ...

Fire Protection Guide to Hazardous Materials. 13 ed. Quincy, MA National Fire Protection Association, 2002., p. 491-36

▸ Hazardous Substances Data Bank (HSDB)

Reaction with burning lithium forms the dangerously reactive sodium.

Lewis, R.J. Sr. (ed) Sax's Dangerous Properties of Industrial Materials. 11th Edition. Wiley-Interscience, Wiley & Sons, Inc. Hoboken, NJ. 2004., p. 3239

Hazardous Substances Data Bank (HSDB)

Sodium chloride extinguishant should no be used on lithium fires since the reaction releases sodium and results in a more violent fire.

Fire Protection Guide to Hazardous Materials. 13 ed. Quincy, MA National Fire Protection Association, 2002., p. 491-109

Hazardous Substances Data Bank (HSDB)

Electrolysis of sodium chloride in presence of nitrogenous compounds to produce chlorine may lead to formation of explosive nitrogen trichloride.

Bretherick, L. Handbook of Reactive Chemical Hazards. 4th ed. Boston, MA Butterworth-Heinemann Ltd., 1990, p. 984

Hazardous Substances Data Bank (HSDB)

For more Hazardous Reactivities and Incompatibilities (Complete) data for SODIUM CHLORIDE (8 total), please visit the HSDB record page.

Hazardous Substances Data Bank (HSDB)

12.8 Regulatory Information

12.8.1 Federal Drinking Water Guidelines

EPA 250,000 ug/L /Chloride ion/

USEPA/Office of Water; Federal-State Toxicology and Risk Analysis Committee (FSTRAC). Summary of State and Federal Drinking Water Standards and Guidelines (11/93) To Present

Hazardous Substances Data Bank (HSDB)

12.8.2 State Drinking Water Guidelines

(CA) CALIFORNIA 250,000 ug/L (Recommended); 500,000 ug/L (Upper); Short-term 600000 ug/l /Chloride ion/

USEPA/Office of Water; Federal-State Toxicology and Risk Analysis Committee (FSTRAC). Summary of State and Federal Drinking Water Standards and Guidelines (11/93) To Present

Hazardous Substances Data Bank (HSDB)

12.8.3 FIFRA Requirements

Unless specifically excluded, residues resulting from the use of the following substances as either an inert or an active ingredient in a pesticide chemical formulation, including antimicrobial pesticide chemicals, are exempted from the requirement of a tolerance under FFDCA section 408, if such use is in accordance with good agricultural or manufacturing practices. Sodium chloride is included on this list.

40 CFR 180.950 (USEPA); U.S. National Archives and Records Administration's Electronic Code of Federal Regulations. Available from, as of August 30, 2006 https://www.ecfr.gov/cgi-bin/ECFR?page browse

Hazardous Substances Data Bank (HSDB)

The Agency has determined that ... sodium chloride products, labeled and used as specified in this Reregistration Eligibility Decision document will not pose unreasonable risks or adverse effects to humans or the environment. Although the Agency has found that all uses of ... sodium chloride are eligible for reregistration, it should be understood that the Agency amy take appropriate regulatory action, and/or require the submission of additional data to support the registration of products containing sodium bromide and sodium chloride, if new information comes to the Agency's attention of if the data requirements for registration (or the guidelines for generating such data) change.

USEPA/Office of Prevention, Pesticides and Toxic Substances; Reregistration Eligibility Decision Document - Inorganic Halides p.16 (September 1993). Available from, as of February 18, 2014 https://www.epa.gov/pesticides/reregistration/status.htm

Hazardous Substances Data Bank (HSDB)

As the federal pesticide law FIFRA directs, EPA is conducting a comprehensive review of older pesticides to consider their health and environmental effects and make decisions about their continued use. Under this pesticide reregistration program, EPA examines newer health and safety data for pesticide active ingredients initially registered before November 1, 1984, and determines whether the use of the pesticide does not pose unreasonable risk in accordance to newer saftey standards, such as those described in the Food Quality Protection Act of 1996. Pesticides for which EPA had not issued Registration Standards prior to the effective date of FIFRA '88 were divided into three lists based upon their potential for human exposure and other factors, with List B containing pesticides of greater concern than those on List C, and with List C containing pesticides of greater concern than those on List D. Sodium chloride is found on List D. Case No: 4051; Pesticide type: Insecticide (molluscicide), fungicide, herbicide, and antimicrobiol; Case Status: RED Approved 09/93; OPP has made a decision that some/all uses of the pesticide are eligible for reregistration, as reflected in a Reregistration Eligibility Decision (RED) document.; Active ingredient (AI): Sodium chloride; AI Status: OPP has completed a Reregistration Eligibility Decision (RED) document for the case/AI.

United States Environmental Protection Agency/ Prevention, Pesticides and Toxic Substances; Status of Pesticides in Registration, Reregistration, and Special Review. (1998) EPA 738-R-98-002, p. 317

Hazardous Substances Data Bank (HSDB)

12.8.4 FDA Requirements

The Approved Drug Products with Therapeutic Equivalence Evaluations identifies currently marketed prescription and over-the-counter drug products, including sodium chloride, approved on the basis of safety and effectiveness by FDA under sections 505 of the Federal Food, Drug, and Cosmetic Act.

DHHS/FDA; Electronic Orange Book-Approved Drug Products with Therapeutic Equivalence Evaluations. Available from, as of February 18, 2014 https://www.fda.gov/cder/ob/

Hazardous Substances Data Bank (HSDB)

Drug products containing certain active ingredients offered over-the-counter (OTC) for certain uses. A number of active ingredients have been present in OTC drug products for various uses, as described below. However, based on evidence currently available, there are inadequate data to establish general recognition of the safety and effectiveness of these ingredients for the specified uses: sodium chloride is included in digestive aid drug products.

21 CFR 310.545(a)(8) (USFDA); U.S. National Archives and Records Administration's Electronic Code of Federal Regulations. Available from, as of January 2, 2014 https://www.ecfr.gov/cgi-bin/ECFR?page browse

Hazardous Substances Data Bank (HSDB)

Drug products containing certain active ingredients offered over-the-counter (OTC) for certain uses. A number of active ingredients have been present in OTC drug products for various uses, as described below. However, based on evidence currently available, there are inadequate data to establish general recognition of the safety and effectiveness of these ingredients for the specified uses: sodium chloride is included in weight control drug products.

21 CFR 310.545(a)(8) (USFDA); U.S. National Archives and Records Administration's Electronic Code of Federal Regulations. Available from, as of January 2, 2014 **https://www.ecfr.gov/cgi-bin/ECFR?page browse**

▸ Hazardous Substances Data Bank (HSDB)

12.9 Other Safety Information

12.9.1 Toxic Combustion Products

Special hazards arising from the substance or mixture: Hydrogen chloride gas, Sodium oxides.

Sigma-Aldrich; Material Safety Data Sheet for Sodium Chloride, Product Number S9888, Version 5.3 (Revision Date 2/24/2014). Available from, as of March 28, 2014 **https://www.sigmaaldrich.com/united-states.html**

▸ Hazardous Substances Data Bank (HSDB)

12.9.2 History and Incidents

Accidental substitution of sodium chloride for lactose in baby formulas has caused fatal poisoning.

Budavari, S. (ed.). The Merck Index - Encyclopedia of Chemicals, Drugs and Biologicals. Rahway, NJ Merck and Co., Inc., 1989., p. 1359

▸ Hazardous Substances Data Bank (HSDB)

12.9.3 Special Reports

USEPA/Office of Prevention, Pesticides and Toxic Substances; Reregistration Eligibility Decision Document - Inorganic Halides (September 1993). The RED summarizes the risk assessment conclusions and outlines any risk reduction measures necessary for the pesticide to continue to be registered in the U.S.[Available from, as of February 18, 2014: http://www.epa.gov/pesticides/reregistration/status.htm]

▸ Hazardous Substances Data Bank (HSDB)

MacGregor GA; Salt and Hypertension. Br J Clin Pharmacol 21 (Suppl 2): 123S-8S (1986). The effectiveness of short term salt restriction in lowering blood pressure in adults appears to be related to the severity of the high blood pressure and, probably more directly, to the suppression of the renin system that occurs as blood pressure rises.

▸ Hazardous Substances Data Bank (HSDB)

13 Toxicity

13.1 Toxicological Information

13.1.1 Toxicity Summary

The rare inadvertent intravascular administration or rapid intravascular absorption of hypertonic sodium chloride can cause a shift of tissue fluids into the vascular bed, resulting in hypervolemia, electrolyte disturbances, circulatory failure, pulmonary embolism, or augmented hypertension.

DrugBank

A high salt diet disrupts the natural sodium balance in the body. This causes fluid retention which increases the pressure exerted by the blood against blood vessel walls leading to high blood pressure or hypertension. It has been estimated that a reduction in salt intake from 10g a day to 6g could reduce blood pressure sufficiently that it would lead to a 16% reduction in deaths from strokes and a 12% reduction in deaths from coronary heart disease.

Toxin and Toxin Target Database (T3DB)

13.1.2 Carcinogen Classification

Carcinogen Classification	Not listed by IARC

Toxin and Toxin Target Database (T3DB)

13.1.3 Health Effects

Too much or too little salt in the diet can lead to muscle cramps, dizziness, or electrolyte disturbance, which can cause neurological problems, or eveb death. Death can occur by ingestion of large amounts of salt in a short time (about 1 g per kg of body weight). Deaths have also resulted from attempted use of salt solutions as emetics, forced salt intake, and accidental confusion of salt with sugar in child food. Long term or chronically excessive intake of salt can lead to stroke, high blood pressure, left ventricular hypertrophy and stomach cancer.

Toxin and Toxin Target Database (T3DB)

13.1.4 Symptoms

Acute salt overdoses can lead to muscle cramps, dizziness or neurological conditions.

Toxin and Toxin Target Database (T3DB)

13.1.5 Acute Effects

ChemIDplus

13.1.6 Toxicity Data

LC50 (rat) = 42,000 mg/m3/1H

Haz-Map, Information on Hazardous Chemicals and Occupational Diseases

The World Health Organization recommends that all adults should consume less than 2,000 mg of sodium (which is equivalent to 5 g of salt) per day.

Toxin and Toxin Target Database (T3DB)

13.1.7 Interactions

The excretion of lithium appears to be proportional to the intake of sodium chloride. Patients on salt-restricted diets who receive lithium carbonate are prone to the development of lithium toxicity. Increasing sodium intake has been associated with reduced therapeutic response to lithium as well as a decrease in side effects. Large doses of sodium chloride increase lithium excretion and have been recommended by some for the treatment of lithium intoxication.

Hansten P.D. Drug Interactions. 5th ed. Philadelphia Lea and Febiger, 1985., p. 413

Hazardous Substances Data Bank (HSDB)

/LABORATORY ANIMALS: Chronic Exposure or Carcinogenicity/ Effects were studied of sodium chloride on production of gastric carcinomas by 4-nitroquinoline-1-oxide in male Wistar rats. NaCl given alone had no apparent carcinogenicity but when admin with 4-nitroquinoline-1-oxide it enhanced carcinogenic effects in stomach.

PMID:808633

TATEMATSU M ET AL; J NATL CANCER INST 55 (1) 101 (1975)

▸ Hazardous Substances Data Bank (HSDB)

Effects were studied of sodium chloride on production of gastric carcinomas by 4-nitroquinoline-1-oxide in male Wistar rats. NaCl given alone had no apparent carcinogenicity but when admin with 4-nitroquinoline-1-oxide it enhanced carcinogenic effects in stomach.

PMID:808633

TATEMATSU M ET AL; J NATL CANCER INST 55 (1) 101 (1975)

▸ Hazardous Substances Data Bank (HSDB)

IV administration of terbutaline at a rate of 5-20 microgram/minute (ug/min) has been reported to inhibit uterine activity initiated by intra-amniotic instillation of 20% sodium chloride. Indomethacin, in doses of 25 mg orally every 6 hours for 8 doses beginning 4-6 hours after intra-amniotic instillation of sodium chloride, has been reported to increase the time interval between intra-amniotic administration of hypertonic sodium chloride and abortion.

American Society of Health-System Pharmacists 2013; Drug Information 2013. Bethesda, MD. 2013, p. 3323

▸ Hazardous Substances Data Bank (HSDB)

For more Interactions (Complete) data for SODIUM CHLORIDE (6 total), please visit the HSDB record page.

▸ Hazardous Substances Data Bank (HSDB)

13.1.8 Antidote and Emergency Treatment

/VET:/There is no specific treatment /for salt toxicity (water deprivation sodium ion toxicosis)/. Immediate removal of offending feed or water is imperative. Fresh water must be provided to all animals, initially in small amounts at frequent intervals. Ingestion of large amounts of water may exacerbate neurologic signs due to brain edema. Severely affected animals should be given water via stomach tube. The mortality rate may be >50% in affected animals regardless of treatment. In small animals, slow administration of hypertonic dextrose or isotonic saline may be useful.

McEvoy, G.K. (ed.). American Hospital Formulary Service. AHFS Drug Information. American Society of Health-System Pharmacists, Bethesda, MD. 2006., p. 2515

▸ Hazardous Substances Data Bank (HSDB)

In acute salt poisoning with serum sodium levels greater than 180 mEq/L, removal of excess sodium chloride by means of dialysis improves the outcome. Hemodialysis or peritoneal dialysis with a 4.25% glucose solution can effectively lower sodium levels and limit the severity of symptoms.

Haddad, L.M. (Ed). Clinical Management of Poisoning and Drug Overdose 3rd Edition. Saunders, Philadelphia, PA. 1998., p. 42

▸ Hazardous Substances Data Bank (HSDB)

Management should be directed at restoring normal osmolality and fluid volume. The speed of correction depends on the rate of development and the accompanying toxicity. Chronic hypernatremia requires a rate of correction of the sodium level that should not exceed 0.7 mEq/L/hour or approximately 10% of the serum sodium per day and correction of the fluid deficit over 48 to 96 hours. Rapid correction offers no advantage and may cause cerebral edema.

Dart, R.C. (ed). Medical Toxicology. Third Edition, Lippincott Williams & Wilkins. Philadelphia, PA. 2004., p. 1058

▸ Hazardous Substances Data Bank (HSDB)

Treatment depends on the cause, but in most cases, the patient is hypovolemic and needs fluids. Caution: Do not reduce the serum sodium level too quickly because osmotic imbalance may cause excessive fluid shift into brain cells, resulting in cerebral edema. The correction should take place over 24-36 hours; the serum sodium should be lowered about 1 mEq/hr. /Treatment of hypernatremia/

OLSON, K.R. (Ed). Poisoning and Drug Overdose, Sixth Edition. McGraw-Hill, New York, NY 2012, p. 36

▸ Hazardous Substances Data Bank (HSDB)

For more Antidote and Emergency Treatment (Complete) data for SODIUM CHLORIDE (6 total), please visit the HSDB record page.

▸ Hazardous Substances Data Bank (HSDB)

13.1.9 Human Toxicity Excerpts

/SIGNS AND SYMPTOMS/ The oral ingestion of larger quantities of sodium chloride, eg 1000 g in 600 mL of water, is harmful and can induce irritation of the gastrointestinal tract, vomiting, hypernatremia, respiratory distress, convulsions, and death.

Rowe, R.C., Sheskey, P.J., Quinn, M.E.; (Eds.), Handbook of Pharmaceutical Excipients 6th edition Pharmaceutical Press, London, England 2009, p. 639

▸ Hazardous Substances Data Bank (HSDB)

/SIGNS AND SYMPTOMS/ The GI effects of oral salt administration include swollen tongue, nausea, vomiting, diarrhea, abdominal cramps, and thirst. Neurologic effects include thirst, irritability,weakness, headache, convulsions, and coma. Cerebral edema may occur, and muscle tremors may be noted. Cardiovascular manifestations of acute hypernatremia include both hypertension and hypotension. Tachycardia, cardiac failure, and peripheral edema may develop. Pulmonary edema and respiratory arrest may occur.

Dart, R.C. (ed). Medical Toxicology. Third Edition, Lippincott Williams & Wilkins. Philadelphia, PA. 2004., p. 1058

▸ Hazardous Substances Data Bank (HSDB)

/SIGNS AND SYMPTOMS/ Sodium chloride at concentrations much above that in tears causes a stinging sensation on contact with the eye. Solutions up to 10% do not alter the permeability of the corneal epithelium, but solutions more dilute than 0.9% sodium chloride cause increased permeability.

Grant, W.M. Toxicology of the Eye. 3rd ed. Springfield, IL Charles C. Thomas Publisher, 1986., p. 830

▸ Hazardous Substances Data Bank (HSDB)

/SIGNS AND SYMPTOMS/ Hypertonic salt solutions can produce ... a distinctive microscopic lesion of the kidney ... parenchymatous dehydration produces a shrinking which is most conspicuous in the convoluted tubules of the renal cortex. Some experimental evidence suggests that similar hypernatremic syndromes may be produced with normal salt diets if water intake is restricted.

Gosselin, R.E., R.P. Smith, H.C. Hodge. Clinical Toxicology of Commercial Products. 5th ed. Baltimore Williams and Wilkins, 1984., p. II-126

Hazardous Substances Data Bank (HSDB)

For more Human Toxicity Excerpts (Complete) data for SODIUM CHLORIDE (19 total), please visit the HSDB record page.

Hazardous Substances Data Bank (HSDB)

13.1.10 Non-Human Toxicity Excerpts

/LABORATORY ANIMALS: Acute Exposure/ Sodium chloride at concentrations much above that in tears causes a stinging sensation on contact with the eye. Solutions up to 10% do not alter the permeability of the corneal epithelium, but solutions more dilute than 0.9% sodium chloride cause increased permeability. On rabbit eyes continuous irrigation for three hr with sodium chloride solutions from 0.3 to 0.6 M and pH 6.0 to 8.0 has produced no morphologic change in the corneas.

Grant, W.M. Toxicology of the Eye. 3rd ed. Springfield, IL Charles C. Thomas Publisher, 1986., p. 830

Hazardous Substances Data Bank (HSDB)

/LABORATORY ANIMALS: Acute Exposure/ Intracarotid injection of 2 M sodium chloride solution in cats rapidly produces cataract on the same side.

Grant, W.M. Toxicology of the Eye. 3rd ed. Springfield, IL Charles C. Thomas Publisher, 1986., p. 830

Hazardous Substances Data Bank (HSDB)

/LABORATORY ANIMALS: Acute Exposure/ Subconjunctival injection of hypertonic sodium chloride solutions has long been known to cause hyperemia and a transitory rise of intraocular pressure in rabbit ... eyes.

Grant, W.M. Toxicology of the Eye. 3rd ed. Springfield, IL Charles C. Thomas Publisher, 1986., p. 830

Hazardous Substances Data Bank (HSDB)

/LABORATORY ANIMALS: Acute Exposure/ Hypertonic sodium chloride (NaCl) infused into the carotid arteries increases arterial blood pressure (AP) and changes sympathetic nerve activity (SNA) via cerebral mechanisms. /The researchers/ hypothesized that elevated sodium levels in the blood supply to the brain would induce differential responses in renal and cardiac SNA via sensors located outside the blood-brain barrier. To investigate this hypothesis we measured renal and cardiac SNA simultaneously in conscious sheep during intracarotid (IC) infusions of NaCl (1.2 M), sorbitol (2.4 M) or urea (2.4 M) at 1 mL/min up each carotid. IC NaCl significantly increased AP (91 + or - 2 to 97 + or - 3 mmHg, p<0.05) without changing heart rate (HR). IC NaCl was associated with no change in cardiac SNA (11 + or - 5.0%), but a significant inhibition of renal SNA (-32.5 + or - 6.4%, p<0.05). Neither IC sorbitol nor urea changed AP, HR, CVP or cardiac and renal SNA. The changes in AP and renal SNA were completely abolished by microinjection of the GABA agonist muscimol (5mM, 500nL) into the paraventricular nucleus of the hypothalamus (PVN). Infusion of IC NaCl for 20 min stimulated a larger increase in water intake (1100 + or - 75 mL) than IC sorbitol (683 + or - 125 mL) or IC urea (0 mL). These results demonstrate that acute increases in blood sodium levels cause a decrease in renal but no change in cardiac SNA in conscious sheep. These effects are mediated by cerebral sensors located outside the blood-brain barrier that are more responsive to changes in sodium concentration than osmolality. The renal sympatho-inhibitory effects of sodium are mediated via a pathway that synapses in the PVN.

PMID:24523342
Full text https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4043129
Frithiof R et al; Am J Physiol Regul Integr Comp Physiol. 2014 Feb 12. (Epub ahead of print)

Hazardous Substances Data Bank (HSDB)

For more Non-Human Toxicity Excerpts (Complete) data for SODIUM CHLORIDE (18 total), please visit the HSDB record page.

Hazardous Substances Data Bank (HSDB)

13.1.11 Human Toxicity Values

The estimated fatal dose of sodium chloride is approximately 0.75 to 3.00 g/kg.

Dart, R.C. (ed). Medical Toxicology. Third Edition, Lippincott Williams & Wilkins. Philadelphia, PA. 2004., p. 1057

Hazardous Substances Data Bank (HSDB)

An estimated dose of more than 400 mEq/kg resulted in brain injury and death in a 2 year old child given a salt water solution to induce emesis.

Dart, R.C. (ed). Medical Toxicology. Third Edition, Lippincott Williams & Wilkins. Philadelphia, PA. 2004., p. 1057

Hazardous Substances Data Bank (HSDB)

13.1.12 Non-Human Toxicity Values

LD50 Rat oral 3000 mg/kg

Lewis, R.J. Sr. (ed) Sax's Dangerous Properties of Industrial Materials. 11th Edition. Wiley-Interscience, Wiley & Sons, Inc. Hoboken, NJ. 2004., p. 3238

Hazardous Substances Data Bank (HSDB)

LD50 Mouse intracervical 131 mg/kg

Lewis, R.J. Sr. (ed) Sax's Dangerous Properties of Industrial Materials. 11th Edition. Wiley-Interscience, Wiley & Sons, Inc. Hoboken, NJ. 2004., p. 3238

Hazardous Substances Data Bank (HSDB)

LD50 Mouse iv 645 mg/kg

Lewis, R.J. Sr. (ed) Sax's Dangerous Properties of Industrial Materials. 11th Edition. Wiley-Interscience, Wiley & Sons, Inc. Hoboken, NJ. 2004., p. 3238

Hazardous Substances Data Bank (HSDB)

LD50 Mouse ip 6614 mg/kg

Lewis, R.J. Sr. (ed) Sax's Dangerous Properties of Industrial Materials. 11th Edition. Wiley-Interscience, Wiley & Sons, Inc. Hoboken, NJ. 2004., p. 3238

Hazardous Substances Data Bank (HSDB)

For more Non-Human Toxicity Values (Complete) data for SODIUM CHLORIDE (6 total), please visit the HSDB record page.

Hazardous Substances Data Bank (HSDB)

13.1.13 Ecotoxicity Values

LC50; Species: Ceriodaphnia dubia (Water flea); Conditions: freshwater, renewal, temp 25.6-26.8 °C, pH 8.4 (8.3-8.5), hardness 102 mg/L CaCO3 (94-104 mg/L), salinity <1 ppt, alkalinity 80 mg/L CaCO3 (75-87 mg/L), conductivity 493 umhos/cm (460-550 umhos/cm), dissolved oxygen 8.6 mg/L (8.3-9.6 mg/L); Concentration: ~ 2000 mg/L for 192 hr /total/

Cowgill UM, Milazzo DP; Bull Environ Contam Toxicol 46 (1) 36-40 (1991) Available from, as of November 21, 2006

Hazardous Substances Data Bank (HSDB)

EC50; Species: Ceriodaphnia dubia (Water flea); Conditions: freshwater; Concentration: 2122.55 mg/L (95% confidence limit: 1493 to 2644 mg/L) for 48 hr; Effect: intoxication, immobilization /total/

Warne MSJ, Schifko AD; Ecotoxicol Environ Saf 44 (2) 196-206 (1999) Available from, as of November 21, 2006

Hazardous Substances Data Bank (HSDB)

LC50; Species: Ceriodaphnia dubia (Water flea); Conditions: freshwater, renewal; Concentration: 280000 ug/L for 7 day /total/

DeGraeve GM et al; Environ Toxicol Chem 11 (6) 851-866 (1992) Available from, as of November 21, 2006

Hazardous Substances Data Bank (HSDB)

LC50; Species: Ceriodaphnia dubia (Water flea); Conditions: freshwater, static; Concentration: 1960000 ug/L (95% confidence limit: 1770000 to 2330000 ug/L) for 48 hr /total/

Mount DR et al; Environ Toxicol Chem 16 (10) 2009-2019 (1997) Available from, as of November 21, 2006

Hazardous Substances Data Bank (HSDB)

For more Ecotoxicity Values (Complete) data for SODIUM CHLORIDE (45 total), please visit the HSDB record page.

Hazardous Substances Data Bank (HSDB)

13.1.14 Ecotoxicity Excerpts

/BIRDS and MAMMALS/ In the field the possibility of birds dying from salt intoxication depends to a large extent on the form in which the salt has been ingested ... Birds appear to be susceptible to relatively small doses in their drinking water, concentrations as low as 0.54% causing serious mortality in day old chicks. The maximum safe level is of the order of 0.25%.

Clarke, M. L., D. G. Harvey and D. J. Humphreys. Veterinary Toxicology. 2nd ed. London Bailliere Tindall, 1981., p. 40

Hazardous Substances Data Bank (HSDB)

/BIRDS and MAMMALS/ The use of sodium chloride as a deicing agent on roads is believed to intoxicate passerine birds.

Gupta, R. C. (ed.) Veterinary Toxicology Basic and Clinical Principles. 1st ed. New York, NY, p.673 (2007)

Hazardous Substances Data Bank (HSDB)

/AQUATIC SPECIES/ This study presents a preliminary evaluation of the use of the Brazilian fish Cynopoecilus melanotaenia as a test organism in toxicity tests. The cryptobiotic stage presented by the eggs of fish C. melanotaenia can overcome the difficulty of continuously keeping cultures and recruiting healthy animals in sufficient numbers to be used in toxicity tests. In order to determine the applicability of this species as a test organism, three different reference substances were evaluated in 96-hr acute toxicity tests: Copper sulfate (CuSO4 x 5H2O), sodium dodecil sulfate (C12H25NaO4S), and sodium chloride (NaCl). Sensitivity ranged as follows: copper sulfate (0.05-0.13 mg/L), sodium dodecil sulfate (10.7-19.0 mg/L), and sodium chloride (1.44-1.96 g/L) ...

PMID:12959549

Arenzon A et al; Environ Toxicol Chem 22 (9) 2188-90 (2003)

Hazardous Substances Data Bank (HSDB)

/AQUATIC SPECIES/ Field and laboratory experiments were conducted to examine the effects of road salt (NaCl) on stream macroinvertebrates. Field studies investigated leaf litter processing rates and functional feeding group composition at locations upstream and downstream from point source salt inputs in two Michigan, USA streams. Laboratory studies determined the effects of increasing NaCl concentrations on aquatic invertebrate drift, behavior, and survival. Field studies revealed that leaves were processed faster at upstream reference sites than at locations downstream from road salt point source inputs. However, it was sediment loading that resulted in partial or complete burial of leaf packs, that affected invertebrate activity and confounded normal leaf pack colonization. There were no significant differences that could be attributed to road salt between upstream and downstream locations in the diversity and composition of invertebrate functional feeding groups. Laboratory drift and acute exposure studies demonstrated that drift of Gammarus (Amphipoda) may be affected by NaCl at concentrations greater than 5000 mg/L for a 24-hr period. This amphipod and two species of limnephilid caddisflies exhibited a dose response to salt treatments with 96-hr LC50 values of 7700 and 3526 mg NaCl/L, respectively. Most other invertebrate species and individuals were unaffected by NaCl concentrations up to 10,000 mg/L for 24 and 96 hr, respectively.

PMID:12395833

Blasius BJ et al; Environ Pollut 120 (2) 219-31 (2002)

Hazardous Substances Data Bank (HSDB)

13.1.15 Ongoing Test Status

The following link will take the user to the National Toxicology Program (NTP) Test Agent Search Results page, which tabulates all of the "Standard Toxicology & Carcinogenesis Studies", "Developmental Studies", and "Genetic Toxicity Studies" performed with this chemical. Clicking on the "Testing Status" link will take the user to the status (i.e., in review, in progress, in preparation, on test, completed, etc.) and results of all the studies that the NTP has done on this chemical.[Available from, as of February 18, 2014: http://ntp-apps.niehs.nih.gov/ntp_tox/index.cfm?fuseaction=ntpsearch.searchresults&searchterm=7647-14-5]

Hazardous Substances Data Bank (HSDB)

13.1.16 Populations at Special Risk

Sodium chloride is contraindicated in patients with conditions in which administration of sodium and chloride is detrimental. Sodium chloride 3 and 5% injections are also contraindicated in the presence of increased, normal, or only slightly decreased serum electrolyte concentrations.

American Society of Health-System Pharmacists 2013; Drug Information 2013. Bethesda, MD. 2013, p. 2759

Hazardous Substances Data Bank (HSDB)

Sodium chloride should be used with extreme caution, if at all, in patients with congestive heart failure or other edematous or sodium-retaining conditions, in patients with severe renal insufficiency, in patients with liver cirrhosis, and in patients receiving corticosteroids or corticotropin; particular caution is necessary in geriatric or postoperative patients. IV administration of sodium chloride may cause fluid and/or solute overload resulting in dilution of serum electrolytes, overhydration, congestive conditions, or pulmonary edema. The risk of dilutional conditions is inversely proportional to the electrolyte concentration administered, and the risk of solute overload and resultant congestive conditions with peripheral and/or pulmonary edema is directly proportional to the electrolyte concentration administered. The manufacturers warn that excessive IV administration of sodium chloride may result in hypokalemia.

American Society of Health-System Pharmacists 2013; Drug Information 2013. Bethesda, MD. 2013, p. 2759

▸ Hazardous Substances Data Bank (HSDB)

13.1.17 Protein Binding

Sodium is not bound by plasma proteins.

▸ DrugBank

13.2 Ecological Information

13.2.1 Natural Pollution Sources

Sodium chloride, commonly known as salt, table salt, and sea salt, is abundant in nature(1).

(1) USEPA/OPPTS; Reregistration Eligibility Decisions (REDs) Database on Inorganic Halides. LIST D, Case 4051. Available from, as of Dec 30, 2013 ***https://www.epa.gov/pesticides/reregistration/status.htm***

▸ Hazardous Substances Data Bank (HSDB)

Ocean water: 2.6% concentration; deposits in central New York, southern Michigan, Gulf Coast, Great Salt Lake, Newfoundland.

Lewis, R.J. Sr.; Hawley's Condensed Chemical Dictionary 15th Edition. John Wiley & Sons, Inc. New York, NY 2007., p. 1140

▸ Hazardous Substances Data Bank (HSDB)

Sodium chloride occurs in nature as the mineral halite.

O'Neil, M.J. (ed.). The Merck Index - An Encyclopedia of Chemicals, Drugs, and Biologicals. Cambridge, UK Royal Society of Chemistry, 2013., p. 1596

▸ Hazardous Substances Data Bank (HSDB)

In the Western hemisphere, there are 10 principal salt beds: (1) the Maritime provinces of eastern Canada; (2) Appalachian (New York, Ohio, and Ontario); (3) Michigan (Michigan and Ontario); (4) Williston (North and South Dakota, Montana, and Saskatchewan); (5) Alberta (northern and eastern Alberta); (6) Mackenzie (Northwest Territories); (7) Permian (west Texas, New Mexico, Oklahoma, and Kansas); (8) Paradox (southeast Utah and southwest Colorado); (9) Supai (New Mexico and Arizona); and (10) the Gulf region (southern United States, eastern Mexico, and Cuba... These bedded deposits are found with layers of halite separated by layers of anhydrite (calcium sulfate). Other mineral impurities that have been identified in salt formations include shale, iron pyrites, and silica.

Feldman SR et al; Sodium Chloride. Kirk-Othmer Encyclopedia of Chemical Technology. (1999-2013). New York, NY John Wiley & Sons. Online Posting Date 14 Oct 2011

▸ Hazardous Substances Data Bank (HSDB)

13.2.2 Other Environmental Concentrations

Environmental effects of elevated salinity levels resulting from use of salt are highly site-specific. Deicing salt can be used to ensure traffic safety and mobility without causing environmental harm by implementing sensible salting techniques and recommending the planting of salt-tolerant trees, grasses, and shrubs along roadsides. Automobile manufacturers have improved vehicle construction and materials, such as using more plastics, to such a degree that car warranties for corrosion perforation in 2000 model year cars sold in the USA ranged from 4 to 12 years. Highway and bridge structures are lasting longer due to improved construction design and materials, such as epoxy-coated reinforced steel concrete and use of high quality air-entrained concrete(1).

(1) Feldman SR et al; Sodium Chloride. Kirk-Othmer Encyclopedia of Chemical Technology. (1999-2013). New York, NY John Wiley & Sons. Online Posting Date 14 Oct 2011

▸ Hazardous Substances Data Bank (HSDB)

13.2.3 Probable Routes of Human Exposure

According to the 2006 TSCA Inventory Update Reporting data, the number of persons reasonably likely to be exposed in the industrial manufacturing, processing, and use of sodium chloride is 1000 or greater; the data may be greatly underestimated(1).

(1) US EPA; Inventory Update Reporting (IUR). Non-confidential 2006 IUR Records by Chemical, including Manufacturing, Processing and Use Information. Washington, DC U.S. Environmental Protection Agency. Available from, as of Dec 30, 2013 ***https://cfpub.epa.gov/iursearch/index.cfm***

▸ Hazardous Substances Data Bank (HSDB)

NIOSH (NOES Survey 1981-1983) has statistically estimated that 1,747,983 workers (819,264 of these were female) were potentially exposed to sodium chloride in the US(1). The NOES Survey does not include farm workers. Occupational exposure to sodium chloride may occur through inhalation and dermal contact with this compound at workplaces where sodium chloride is produced or used. Use data indicate that the general population may be exposed to sodium chloride via ingestion of food and drinking water, and dermal contact with consumer products containing sodium chloride(SRC).

(1) NIOSH; NOES. National Occupational Exposure Survey conducted from 1981-1983. Estimated numbers of employees potentially exposed to specific agents by 2-digit standard industrial classification (SIC). Available from, as of Dec 30, 2013 ***https://www.cdc.gov/noes/***

▸ Hazardous Substances Data Bank (HSDB)

13.2.4 Average Daily Intake

Most of the world's population chooses to consume approximately 6,000 to 11,000 mg of sodium chloride a day. The average daily sodium intake form all sources is 3,450 mg (8,770 mg sodium chloride). The GRAS review of the FDA publishes the amount of naturally occurring sodium in the American diet as 1,000 to 1,500 mg/day, equivalent to the amount of sodium in approximately 2,500 to 3,800 mg sodium chloride. The average daily intake of sodium chloride from food-grade salt used in food processing and from salt added to cooking and at the table is from 4,960 to 6,230 mg sodium chloride. Salt is a requirement in the diet. The safe and adequate intake for adults is reported as 1,875 to 5,625 mg. The National Academies recommends that Americans consume a minimum of 500 mg/day of sodium to maintain good health(1).

(1) Feldman SR et al; Sodium Chloride. Kirk-Othmer Encyclopedia of Chemical Technology. (1999-2013). New York, NY John Wiley & Sons. Online Posting Date 14 Oct 2011

- Hazardous Substances Data Bank (HSDB)

14 Associated Disorders and Diseases

- Comparative Toxicogenomics Database (CTD)
- Therapeutic Target Database (TTD)

15 Literature

15.1 NLM Curated PubMed Citations

PubChem

15.2 Springer Nature References

Springer Nature

15.3 Thieme References

Thieme Chemistry

15.4 Depositor Provided PubMed Citations

PubChem

15.5 General References

1. ChemIDplus
2. Pubchem

DrugBank

15.6 Chemical Co-Occurrences in Literature

PubChem

15.7 Chemical-Gene Co-Occurrences in Literature

PubChem

15.8 Chemical-Disease Co-Occurrences in Literature

PubChem

16 Patents

US5945449
US7300674
US6077836
US6248726
US7291324
US7169381
US7658914
US7084130
US9326969
US9592252
US9707297
US8999313
US10016504
US10646512
US10792306
US10780112
US10918723

DrugBank

16.1 Depositor-Supplied Patent Identifiers

PubChem

Link to all deposited patent identifiers

PubChem

16.2 WIPO PATENTSCOPE

Patents are available for this chemical structure:

https://patentscope.wipo.int/search/en/result.jsf?inchikey=FAPWRFPIFSIZLT-UHFFFAOYSA-M

PATENTSCOPE (WIPO)

16.3 FDA Orange Book Patents

Showing 3 of 13 View More

Patent	7169381
Expiration	Sep 1, 2024
Applicant	SALIX PHARMS
Drug Application	N021881 (Prescription Drug: MOVIPREP Ingredients: ASCORBIC ACID | POLYETHYLENE GLYCOL 3350 | POTASSIUM CHLORIDE | SODIUM ASCORBATE | SODIUM CHLORIDE | SODIUM SULFATE)

FDA Orange Book

Patent	7291324
Expiration	Oct 22, 2022
Applicant	BRAINTREE
Drug Application	N021551 (Prescription Drug: HALFLYTELY Ingredients: BISACODYL | POLYETHYLENE GLYCOL 3350 | POTASSIUM CHLORIDE | SODIUM BICARBONATE | SODIUM CHLORIDE)

FDA Orange Book

Patent	7300674
Expiration	Mar 4, 2023
Applicant	DIALYSIS SUPS
Drug Application	N021910 (Prescription Drug: NORMOCARB HF 25 Ingredients: MAGNESIUM CHLORIDE | SODIUM BICARBONATE | SODIUM CHLORIDE) N021910 (Prescription Drug: NORMOCARB HF 35 Ingredients: MAGNESIUM CHLORIDE | SODIUM BICARBONATE | SODIUM CHLORIDE)

3793

- FDA Orange Book

17 Interactions and Pathways

17.1 Chemical-Target Interactions

▸ Comparative Toxicogenomics Database (CTD); Drug Gene Interaction database (DGIdb); Therapeutic Target Database (TTD); Toxin and Toxin Target Database (T3DB)

17.2 Drug-Drug Interactions

▸ DrugBank

17.3 Pathways

▸ PubChem

18 Biological Test Results

18.1 BioAssay Results

PubChem

19 Classification

19.1 MeSH Tree

Medical Subject Headings (MeSH)

19.2 NCI Thesaurus Tree

NCI Thesaurus (NCIt)

19.3 ChEBI Ontology

ChEBI

19.4 KEGG: Drug

KEGG

19.5 KEGG: USP

KEGG

19.6 KEGG: ATC

KEGG

19.7 KEGG: JP15

KEGG

19.8 KEGG: Risk Category of Japanese OTC Drugs

KEGG

19.9 KEGG: OTC drugs

KEGG

19.10 KEGG: Animal Drugs

Showing 1 of 1

Animal drugs in Japan >
Sodium chloride

KEGG

19.11 WHO ATC Classification System

Showing 4 of 4

ATC Code > A - Alimentary tract and metabolism > A12 - Mineral supplements > A12C - Other mineral supplements > A12CA - Sodium >
A12CA01 - Sodium chloride

ATC Code > B - Blood and blood forming organs > B05 - Blood substitutes and perfusion solutions > B05C - Irrigating solutions > B05CB - Salt solutions >
B05CB01 - Sodium chloride

ATC Code > B - Blood and blood forming organs > B05 - Blood substitutes and perfusion solutions > B05X - I v solution additives > B05XA - Electrolyte solutions >
B05XA03 - Sodium chloride

ATC Code > S - Sensory organs > S01 - Ophthalmologicals > S01X - Other ophthalmologicals > S01XA - Other ophthalmologicals >
S01XA03 - Sodium chloride, hypertonic

WHO Anatomical Therapeutic Chemical (ATC) Classification

19.12 EPA Safer Choice

EPA Safer Choice

19.13 ChemIDplus

ChemIDplus

19.14 ChEMBL Target Tree

Showing 2 of 2

ChEMBL Protein Target Tree > Enzyme > Protease > Serine protease > Serine protease PA clan >
Serine protease S1A subfamily
A serine endopeptidase secreted by the pancreas as its zymogen, CHYMOTRYPSINOGEN and carried in the pancreatic juice to the duodenum where it is activated by TRYPSIN It selectively cleaves aromatic amino acids on the carboxyl side [MESH:D002918]

ChEMBL Protein Target Tree > Enzyme >
Lyase
A group of enzymes that catalyze the breaking of a chemical bond by means other than hydrolysis or oxidation

ChEMBL

19.15 EPA CPDat Classification

Showing 5 of 171 View More

EPA CPDat Classification > Functional Use > OECD Functional Use >
abrasive

EPA CPDat Classification > Functional Use > OECD Functional Use >
adhesion/cohesion promoter

EPA CPDat Classification > Functional Use > OECD Functional Use >
anticaking agent

EPA CPDat Classification > Functional Use > OECD Functional Use >
biocide

EPA CPDat Classification > Functional Use > OECD Functional Use >
chelating agent

EPA Chemical and Products Database (CPDat)

19.16 NORMAN Suspect List Exchange Classification

Showing 5 of 40 View More

NORMAN Suspect List Exchange Classification > S13 | EUCOSMETICS | Combined Inventory of Ingredients Employed in Cosmetic Products (2000) and Revised Inventory (2006) >
Bulking

NORMAN Suspect List Exchange Classification > S13 | EUCOSMETICS | Combined Inventory of Ingredients Employed in Cosmetic Products (2000) and Revised Inventory (2006) >
Viscosity controlling

NORMAN Suspect List Exchange Classification >
S32 | REACH2017 | 2017 List of REACH Chemicals
A 2017 list of REACH chemicals including InChIKeys and spectral information, provided by N Alygizakis and J Slobodnik, EI Dataset DOI:10 5281/zenodo 2653020

NORMAN Suspect List Exchange Classification >

3800

S77 | FCCDB | Food Contact Chemicals Database v5.0

The Food Contact Chemicals database (FCCdb, DOI:10 5281/zenodo 3240108) is a compilation of information on over 12,000 intentionally added food contact chemicals extracted from publicly available sources such as legislation or industry inventories for different types of food contact materials and selected sources of hazard information, as described by Groh et al 2021 (see DOI:10 1016/j envint 2020 106225) Structural information for ~6000 entries where clear mappings could be found was added by P Chirsir into FCCdb Version 5, prior to hosting it on the NORMAN Suspect List Exchange (see Dataset DOI:10 5281/zenodo 4625495) Further detailed descriptions for each sub-category in the classification tree can be found in the ReadMe tab of the FCCdb spreadsheet file, or in the respective sub-category tooltips ('?' boxes)

NORMAN Suspect List Exchange Classification >

S37 | LITMINEDNEURO | Neurotoxicants from literature mining PubMed

A list of chemicals associated with neurotoxicity compiled through systematic literature mining of PubMed using MeSH terms, compiled by Nancy Baker, Antony Williams (US EPA) and Emma Schymanski (LCSB), details in Schymanski et al 2019, DOI:10 1039/C9EM00068B Dataset DOI:10 5281/zenodo 2653214

▸ NORMAN Suspect List Exchange

19.17 EPA DSSTox Classification

Showing 5 of 52 View More

CompTox Chemicals Dashboard Chemical Lists > LIST >

[ACSREAG] LIST: ACS Reagent Chemicals

Short_Description: The ACS Committee on Analytical Reagents sets purity specifications for almost 500 reagent chemicals and over 500 standard-grade reference materials

Long_Description: The ACS Committee on Analytical Reagents sets purity specifications for almost 500 reagent chemicals and over 500 standard-grade reference materials These specifications have become the de facto standards for chemicals used in many high-purity applications In addition to detailing these specifications, ACS Reagent Chemicals provides general physical properties and analytical uses for all reagent chemicals as well as guidelines for standard analytical methods The online book is available at https://pubs.acs.org/isbn/9780841230460

CompTox Chemicals Dashboard Chemical Lists > WATER >

[CALWATERBDS] WATER: California Water Boards Additive Information

Short_Description: California Central Valley water board oil field additive constituents list

Long_Description: California Central Valley water board oil field additive constituents list (Additive Information Updated June 2018)

CompTox Chemicals Dashboard Chemical Lists > LIST >

[CANADADSL] Canadian Domestic Substances List 2019

Short_Description: The domestic substances list (DSL) is the sole standard against which a substance is judged to be"new"to Canada

Long_Description: On May 4, 1994, Environment and Climate Change Canada published the domestic substances list (DSL) in Part II of the Canada Gazette The DSL is an inventory of approximately 23 000 substances manufactured in, imported into or used in Canada on a commercial scale It is based on substances present in Canada, under certain conditions, between January 1, 1984 and December 31, 1986 The DSL is the sole standard against which a substance is judged to be"new"to Canada With few exemptions, all substances not on this list are considered new and must be reported prior to importation or manufacture in order that they can be assessed to determine if they are toxic or could become toxic to the environment or human health

CompTox Chemicals Dashboard Chemical Lists > LIST >

[CIGARETTES] TOBACCO|SMOKING|WIKILIST: Additives in cigarettes

Short_Description: This is a partial list of the 599 additives in cigarettes submitted to the United States Department of Health and Human Services in April 1994

Long_Description: This is a partial list of the 599 additives in cigarettes submitted to the United States Department of Health and Human Services in April 1994 It applies, as documented, only to American manufactured cigarettes intended for distribution within the United States by the listed companies The five major tobacco companies that reported the information were: American Tobacco Company Brown and Williamson Liggett Group, Inc Philip Morris Inc R J Reynolds Tobacco Company The data were sourced from Wikipedia at https://en.wikipedia.org/wiki/List_of_additives_in_cigarettes

CompTox Chemicals Dashboard Chemical Lists > CATEGORY >

[COSMOSDB] CATEGORY|COSMETICS: COSMOS DB cosmetics database

Short_Description: COSMOS - Integrated in silico models for the prediction of human repeated-dose toxicity of COSMetics to Optimize Safety

Long_Description: COSMOS was a unique collaboration addressing the safety assessment needs of the cosmetics industry, without the use of animals The main aim of COSMOS was to develop freely available tools and workflows to predict the safety to humans following the use of cosmetic ingredients The project ran from January 2011 - December 2015 Major results and links to the legacy tools are available from the COSMOS website This is a partial listing and data curation is presently ongoing

▸ EPA DSSTox

19.18 Consumer Product Information Database Classification

Showing 5 of 8 View More

Consumer Products Category Classification >
Auto Products

Consumer Products Category Classification >
Commercial / Institutional

Consumer Products Category Classification >
Home Maintenance

Consumer Products Category Classification >
Inside the Home

Consumer Products Category Classification >
Landscaping/Yard

▸ Consumer Product Information Database (CPID)

19.19 FDA Drug Type and Pharmacologic Classification

Showing 5 of 6 View More

FDA Drug Type and Pharmacologic Classification > Drug Type >
HUMAN OTC DRUG

FDA Drug Type and Pharmacologic Classification > Drug Type > 3801

HUMAN PRESCRIPTION DRUG

FDA Drug Type and Pharmacologic Classification > Pharmacologic Class > [PE] Physiologic Effect >
Increased Large Intestinal Motility [PE]

FDA Drug Type and Pharmacologic Classification > Pharmacologic Class > [PE] Physiologic Effect >
Inhibition Large Intestine Fluid/Electrolyte Absorption [PE]

FDA Drug Type and Pharmacologic Classification > Pharmacologic Class > [MoA] Mechanism of Action >
Osmotic Activity [MoA]

National Drug Code (NDC) Directory

19.20 EPA Substance Registry Services Tree

Showing 5 of 29 View More

EPA SRS List Classification > Ad Hoc >
Safer Chemical Ingredients List
SCIL :: The Safer Chemical Ingredients List (SCIL) is a list of chemical ingredients, arranged by functional-use class, that the Safer Choice Program has evaluated and determined to be safer than traditional chemical ingredients This list is designed to help manufacturers find safer chemical alternatives that meet the criteria of the Safer Choice Program

EPA SRS List Classification > Ad Hoc >
Synonyms Provided by Submitters to the TSCA Inventory
TSCA INV SYN :: Synonyms Provided by Submitters to the TSCA Inventory

EPA SRS List Classification > Ad Hoc >
Wisconsin Department of Natural Resources
WDNR :: Substances compiled by WDNR

EPA SRS List Classification > EPA Application/System >
2012 Chemical Data Reporting
2012 CDR :: This list contains chemicals that were reported to EPA's 2012 Chemical Data Reporting (CDR) Companies that manufacture (including import) certain chemicals at certain volumes in the U S must report to EPA every four years through its CDR The vast majority of chemicals on this 2012 CDR list needed to be reported, but some of these chemicals were not required to be reported EPA uses the CDR data to support many health, safety, and environmental protection activities

EPA SRS List Classification > EPA Application/System >
CAMEO Chemicals
CAMEO Chemicals is an emergency response and planning tool This program includes an extensive chemical database with critical response information for thousands of chemicals, as well as a reactivity prediction tool that allows you to see what hazards might occur if chemicals in your collection were mixed together CAMEO Chemicals is available as a website, mobile website, and a desktop application CAMEO Chemicals is part of a software suite of programs called CAMEO (Computer-Aided Management of Emergency Operations) The CAMEO suite also includes a hazard modeling tool (ALOHA), a mapping program (MARPLOT), and two database applications (CAMEOfm and Tier2 Submit) designed to assist with the data management requirements under the Emergency Planning and Community Right-to-Know Act (EPCRA, also known as SARA Title III) The CAMEO suite programs can be used (individually or together) to help first responders and emergency planners access and manage crucial chemical property and emergency response information for hazardous chemical releases The CAMEO programs are developed jointly by EPA#?s Office of Emergency Management and NOAA#?s Office of Response and Restoration

EPA Substance Registry Services

20 Information Sources

FILTER BY SOURCE: ALL SOURCES

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https://commonchemistry.cas.org/detail?cas_rn 7647-14-5

Rock salt
https://commonchemistry.cas.org/detail?cas_rn 14762-51-7

2. ChemIDplus

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Sodium chloride [USP JAN]
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Halite
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Sodium chloride (Na36Cl)
https://pubchem.ncbi.nlm.nih.gov/substance/?source chemidplus&sourceid 0032343729

ChemIDplus Chemical Information Classification
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Sea salt
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5. EPA Chemicals under the TSCA

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Sodium chloride
https://comptox.epa.gov/dashboard/DTXSID3021271

Halite (NaCl)
https://comptox.epa.gov/dashboard/DTXSID501033754

Saline
https://comptox.epa.gov/dashboard/DTXSID6040379

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7. European Chemicals Agency (ECHA)

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Sodium chloride
https://echa.europa.eu/substance-information/-/substanceinfo/100.028.726

8. FDA Global Substance Registration System (GSRS)

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https://www.fda.gov/about-fda/about-website/website-policies#linking

Sodium chloride
https://gsrs.ncats.nih.gov/ginas/app/beta/substances/451W47IQ8X

9. Hazardous Substances Data Bank (HSDB)

SODIUM CHLORIDE
https://pubchem.ncbi.nlm.nih.gov/source/hsdb/6368

10. ChEBI

Sodium chloride
http://www.ebi.ac.uk/chebi/searchId.do?chebiId CHEBI:267 0

3803

ChEBI Ontology
http://www.ebi.ac.uk/chebi/userManualForward.do#ChEBI%20Ontology

11. NCI Thesaurus (NCIt)

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12. Toxin and Toxin Target Database (T3DB)

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Sodium chloride
http://www.t3db.ca/toxins/T3D4666

13. ClinicalTrials.gov

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Sodium Chloride, Dietary
https://ctdbase.org/detail.go?type chem&acc D017673

Salts
https://ctdbase.org/detail.go?type chem&acc D012492

15. Drug Gene Interaction database (DGIdb)

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The data used in DGIdb is all open access and where possible made available as raw data dumps in the downloads section
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SODIUM CHLORIDE
https://www.dgidb.org/drugs/SODIUM CHLORIDE

16. Therapeutic Target Database (TTD)

Sodium chloride
https://idrblab.net/ttd/data/drug/details/D04YZL

17. Consumer Product Information Database (CPID)

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https://www.whatsinproducts.com/contents/view/1/6

Sodium chloride
https://www.whatsinproducts.com/chemicals/view/1/58/007647-14-5

Consumer Products Category Classification
https://www.whatsinproducts.com/

18. DailyMed

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MAGNESIUM SULFATE; POTASSIUM CHLORIDE; POTASSIUM PHOSPHATE, MONOBASIC; SODIUM CHLORIDE; SODIUM PHOSPHATE
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POLYETHYLENE GLYCOL 3350; POTASSIUM CHLORIDE; SODIUM BICARBONATE; SODIUM CHLORIDE; SODIUM SULFATE ANHYDROUS
https://dailymed.nlm.nih.gov/dailymed/search.cfm?labeltype all&query POLYETHYLENE+GLYCOL+3350;+POTASSIUM+CHLORIDE;+SODIUM+BICARBONATE;+SODIUM+CHLORIDE;+SODIUM+SULFATE+ANHYDROUS

SODIUM CHLORIDE
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CALCIUM CHLORIDE; MAGNESIUM CHLORIDE; POTASSIUM CHLORIDE; SODIUM ACETATE; SODIUM CHLORIDE
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CALCIUM CHLORIDE; MAGNESIUM CHLORIDE; POTASSIUM CHLORIDE; SODIUM ACETATE; SODIUM CHLORIDE; SODIUM CITRATE
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DEXTROSE; SODIUM CHLORIDE
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POTASSIUM CHLORIDE; SODIUM CHLORIDE
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BISACODYL; POLYETHYLENE GLYCOL 3350; POTASSIUM CHLORIDE; SODIUM BICARBONATE; SODIUM CHLORIDE
https://dailymed.nlm.nih.gov/dailymed/search.cfm?labeltype all&query BISACODYL;+POLYETHYLENE+GLYCOL+3350;+POTASSIUM+CHLORIDE;+SODIUM+BICARBONATE;+SODIUM+CHLORIDE

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CALCIUM CHLORIDE; DEXTROSE; MAGNESIUM CHLORIDE; POTASSIUM CHLORIDE; SODIUM ACETATE; SODIUM CHLORIDE
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DEXTROSE; POTASSIUM CHLORIDE; SODIUM CHLORIDE
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MAGNESIUM CHLORIDE; POTASSIUM CHLORIDE; SODIUM ACETATE; SODIUM CHLORIDE; SODIUM GLUCONATE
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POLYETHYLENE GLYCOL 3350; POTASSIUM CHLORIDE; SODIUM BICARBONATE; SODIUM CHLORIDE; SODIUM SULFATE
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19. ## EPA Chemical and Products Database (CPDat)

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EPA CPDat Classification
https://www.epa.gov/chemical-research/chemical-and-products-database-cpdat

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Sodium chloride
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21. ## USGS National Minerals Information Center

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Salt
https://www.usgs.gov/centers/nmic/salt-statistics-and-information

22. ## EPA Safer Choice

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Sodium chloride
https://www.epa.gov/saferchoice/safer-ingredients

EPA Safer Chemical Ingredients Classification
https://www.epa.gov/saferchoice

23. ## EU Pesticides Database

Sodium chloride
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24. ## FDA Orange Book

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25. Joint FAO/WHO Expert Committee on Food Additives (JECFA)

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NORMAN Suspect List Exchange Classification
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27. EU Clinical Trials Register
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28. FDA Center for Food Safety and Applied Nutrition (CFSAN)

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SODIUM CHLORIDE
https://www.cfsanappsexternal.fda.gov/scripts/fdcc/index.cfm?set FoodSubstances&id SODIUMCHLORIDE

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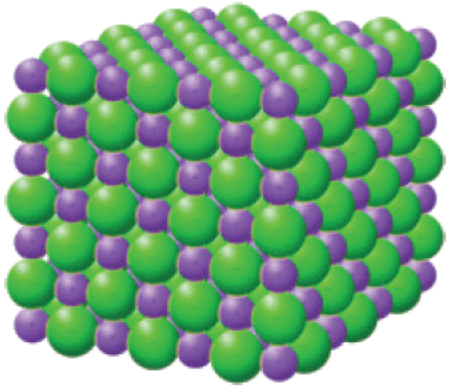
Sodium chloride

Sodium chloride /ˌsoʊdiəm ˈklɔːraɪd/,[8] commonly known as salt (although sea salt also contains other chemical salts), is an ionic compound with the chemical formula **NaCl**, representing a 1:1 ratio of sodium and chloride ions. With molar masses of 22.99 and 35.45 g mol respectively, 100 g of NaCl contains 39.34 g Na and 60.66 g Cl. Sodium chloride is the salt most responsible for the salinity of seawater and of the extracellular fluid of many multicellular organisms. In its edible form, salt (also known as *table salt*) is commonly used as a condiment and food preservative. Large quantities of sodium chloride are used in many industrial processes, and it is a major source of sodium and chlorine compounds used as feedstocks for further chemical syntheses. Another major application of sodium chloride is de-icing of roadways in sub-freezing weather.

Sodium chloride



Sodium chloride crystals in a form of halite



Crystal structure with sodium in purple and chloride in green[1]

Names
IUPAC name
Sodium chloride
Other names
Common salt
halite
rock salt
saline
table salt
regular salt
sea salt
Identifiers

Uses

In addition to the familiar domestic uses of salt, more dominant applications of the approximately 250 million tonnes per year production (2008 data) include chemicals and de-icing.[9]

Chemical functions

Salt is used, directly or indirectly, in the production of many chemicals, which consume most of the world s production.[10]

Chlor-alkali industry

It is the starting point for the chloralkali process, the industrial process to produce chlorine and sodium hydroxide, according to the chemical equation

$$2\,\mathrm{NaCl} + 2\,\mathrm{H_2O} \xrightarrow{electrolysis} \mathrm{Cl_2} + \mathrm{H_2} + 2\,\mathrm{NaOH}$$

This electrolysis is conducted in either a mercury cell, a diaphragm cell, or a membrane cell. Each of those uses a different method to separate the chlorine from the sodium hydroxide. Other technologies are under development due to the high energy consumption of the electrolysis, whereby small improvements in the efficiency can have large economic paybacks. Some applications of chlorine include PVC thermoplastics production, disinfectants, and solvents.

Sodium hydroxide is extensively used in many different industries enabling production of paper, soap, and aluminium etc.

Soda-ash industry

Sodium chloride is used in the Solvay process to produce sodium carbonate and calcium chloride. Sodium carbonate, in turn, is used to produce glass, sodium bicarbonate, and dyes, as well as a myriad of other chemicals. In the Mannheim process, sodium chloride is used for the production of sodium sulfate and hydrochloric acid.

Standard

Sodium chloride has an international standard that is created by ASTM International. The standard is named **ASTM E534-13** and is the standard test methods for chemical analysis of sodium chloride. These methods listed provide procedures for analyzing sodium chloride to determine whether it is suitable for its intended use and application.

Miscellaneous industrial uses

Sodium chloride is heavily used, so even relatively minor applications can consume massive quantities. In oil and gas exploration, salt is an important component of drilling fluids in well drilling. It is used to flocculate and increase the density of the drilling fluid to overcome high downwell gas pressures. Whenever a drill hits a salt formation, salt is added to the drilling fluid to saturate the solution in order to minimize the dissolution within the salt stratum.[9] Salt is also used to increase the curing of concrete in cemented casings.[10]

In textiles and dyeing, salt is used as a brine rinse to separate organic contaminants, to promote "salting out" of dyestuff precipitates, and to blend with concentrated dyes to standardize them. One of its main roles is to provide the positive ion charge to promote the absorption of negatively charged ions of dyes.[10]

It is also used in processing aluminium, beryllium, copper, steel and vanadium. In the pulp and paper industry, salt is used to bleach wood pulp. It also is used to make sodium chlorate, which is added along with sulfuric acid and water to manufacture chlorine dioxide, an excellent oxygen-based bleaching chemical. The chlorine dioxide process, which originated in Germany after World War I, is becoming more popular because of environmental pressures to reduce or eliminate chlorinated bleaching compounds. In tanning and leather treatment, salt is added to animal hides to inhibit microbial activity on the underside of the hides and to attract moisture back into the hides.[10]

CAS Number	7647-14-5 (https://commonchemistry.cas.org/detail?cas_rn=7647-14-5) ✓
3D model (JSmol)	Interactive image (https://chemapps.stolaf.edu/jmol/jmol.php?model=%5BNa%2B%5D.%5BCl-%5D)
Beilstein Reference	3534976
ChEBI	CHEBI:26710 (https://www.ebi.ac.uk/chebi/searchId.do?chebiId=26710) ✓
ChEMBL	ChEMBL1200574 (https://www.ebi.ac.uk/chembldb/index.php/compound/inspect/ChEMBL1200574) ✗
ChemSpider	5044 (https://www.chemspider.com/Chemical-Structure.5044.html) ✓
ECHA InfoCard	100.028.726 (https://echa.europa.eu/substance-information/-/substanceinfo/100.028.726)
EC Number	231-598-3
Gmelin Reference	13673
KEGG	D02056 (https://www.kegg.jp/entry/D02056) ✓
MeSH	Sodium+chloride (https://www.nlm.nih.gov/cgi/mesh/2014/MB_cgi?mode=&term=Sodium+chloride)

In rubber manufacture, salt is used to make buna, neoprene and white rubber types. Salt brine and sulfuric acid are used to coagulate an emulsified latex made from chlorinated butadiene.[10][9]

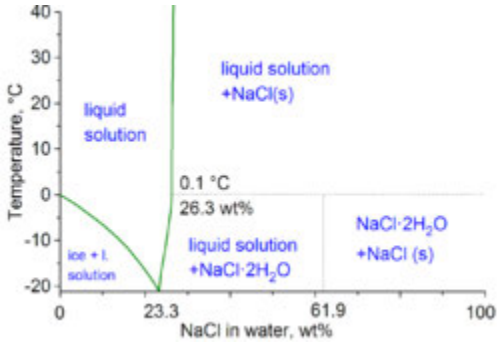
Salt also is added to secure the soil and to provide firmness to the foundation on which highways are built. The salt acts to minimize the effects of shifting caused in the subsurface by changes in humidity and traffic load.[10]

Sodium chloride is sometimes used as a cheap and safe desiccant because of its hygroscopic properties, making salting an effective method of food preservation historically; the salt draws water out of bacteria through osmotic pressure, keeping it from reproducing, a major source of food spoilage. Even though more effective desiccants are available, few are safe for humans to ingest.

Water softening

Hard water contains calcium and magnesium ions that interfere with action of soap and contribute to the buildup of a scale or film of alkaline mineral deposits in household and industrial equipment and pipes. Commercial and residential water-softening units use ion-exchange resins to remove ions that cause the hardness. These resins are generated and regenerated using sodium chloride.[10][9]

Road salt



Phase diagram of water–NaCl mixture

The second major application of salt is for de-icing and anti-icing of roads, both in grit bins and spread by winter service vehicles. In anticipation of snowfall, roads are optimally "anti-iced" with brine (concentrated solution of salt in water), which prevents bonding between the snow-ice and the road surface. This procedure obviates the heavy use of salt after the snowfall. For de-icing, mixtures of brine and salt are used, sometimes with additional agents such as calcium chloride and or magnesium chloride. The use of salt or brine becomes ineffective below −10 °C (14 °F).

PubChem CID	5234 (https://pubchem.ncbi.nlm.nih.gov/compound/5234)
RTECS number	VZ4725000
UNII	451W47IQ8X (https://fdasis.nlm.nih.gov/srs/srsdirect.jsp?regno=451W47IQ8X) ✓
CompTox Dashboard (EPA)	DTXSID3021271 (https://comptox.epa.gov/dashboard/chemical/details/DTXSID3021271)
InChI	
InChI=1S/ClH.Na/h1H;/q;+1/p-1 ✓ Key: FAPWRFPIFSIZLT-UHFFFAOYSA-M ✓	
InChI=1/ClH.Na/h1H;/q;+1/p-1 Key: FAPWRFPIFSIZLT-REWHXWOFAE	
SMILES	
[Na+].[Cl-]	
Properties	
Chemical formula	NaCl
Molar mass	58.443 g/mol[2]
Appearance	Colorless cubic crystals[2]
Odor	Odorless
Density	2.17 g/cm^3[2]
Melting point	800.7 °C (1,473.3 °F; 1,073.8 K)[2]
Boiling point	1,465 °C (2,669 °F; 1,738 K)[2]
Solubility in water	360 g/1000 g pure water at T = 25 °C[2]
Solubility in ammonia	21.5 g/L at T = ?
Solubility in	14.9 g/L at T = ?



Mounds of road salt for use in winter

Salt for de-icing in the United Kingdom predominantly comes from a single mine in Winsford in Cheshire. Prior to distribution it is mixed with <100 ppm of sodium ferrocyanide as an anti-caking agent, which enables rock salt to flow freely out of the gritting vehicles despite being stockpiled prior to use. In recent years this additive has also been used in table salt. Other additives had been used in road salt to reduce the total costs. For example, in the US, a byproduct carbohydrate solution from sugar-beet processing was mixed with rock salt and adhered to road surfaces about 40% better than loose rock salt alone. Because it stayed on the road longer, the treatment did not have to be repeated several times, saving time and money.[10]

In the technical terms of physical chemistry, the minimum freezing point of a water-salt mixture is −21.12 °C (−6.02 °F) for 23.31 wt% of salt. Freezing near this concentration is however so slow that the eutectic point of −22.4 °C (−8.3 °F) can be reached with about 25 wt% of salt.[11]

Environmental effects

Road salt ends up in fresh-water bodies and could harm aquatic plants and animals by disrupting their osmoregulation ability.[12] The omnipresence of salt poses a problem in any coastal coating application, as trapped salts cause great problems in adhesion. Naval authorities and ship builders monitor the salt concentrations on surfaces during construction. Maximal salt concentrations on surfaces are dependent on the authority and application. The IMO regulation is mostly used and sets salt levels to a maximum of 50 mg m^2 soluble salts measured as sodium chloride. These measurements are done by means of a Bresle test. Salinization (increasing salinity, aka *freshwater salinization syndrome*) and subsequent increased metal leaching is an ongoing problem throughout North America and European fresh waterways.[13]

In highway de-icing, salt has been associated with corrosion of bridge decks, motor vehicles, reinforcement bar and wire, and unprotected steel structures used in road construction. Surface runoff, vehicle spraying, and windblown actions also affect soil, roadside vegetation, and local surface water and groundwater supplies. Although evidence of environmental loading of salt has been found during peak usage, the spring rains and thaws usually dilute the concentrations of sodium in the area where salt was

methanol	
Magnetic susceptibility (χ)	$-30.2 \cdot 10^{-6}$ cm^3/mol[3]
Refractive index (n_D)	1.5441 (at 589 nm)[4]
Structure[5]	
Crystal structure	Face-centered cubic (*see text*), cF8
Space group	$Fm\bar{3}m$ (No. 225)
Lattice constant	*a* = 564.02 pm
Formula units (*Z*)	4
Coordination geometry	octahedral at Na^+ octahedral at Cl^-
Thermochemistry[6]	
Heat capacity (*C*)	50.5 J/(K·mol)
Std molar entropy ($S^{\ominus}_{298}$)	72.10 J/(K·mol)
Std enthalpy of formation ($\Delta_f H^{\ominus}_{298}$)	−411.120 kJ/mol
Pharmacology	
ATC code	A12CA01 (WHO (https://www.whocc.no/atc_ddd_index/?code=A12CA01)) B05CB01 (WHO (https://www.whocc.no/atc_ddd_index/?code=B05CB01)), B05XA03 (WHO (https://www.whocc.no/atc_ddd_index/?code=B05XA03)), S01XA03 (WHO (https://www.whocc.no/atc_ddd_index/?code=S01XA03))
Hazards	

applied.[10] A 2009 study found that approximately 70% of the road salt being applied in the Minneapolis-St Paul metro area is retained in the local watershed.[14]

Substitution

Some agencies are substituting beer, molasses, and beet juice instead of road salt.[15] Airlines utilize more glycol and sugar rather than salt based solutions for de-icing.[16]

Food industry and agriculture

Many microorganisms cannot live in a salty environment: water is drawn out of their cells by osmosis. For this reason salt is used to preserve some foods, such as bacon, fish, or cabbage.

Salt is added to food, either by the food producer or by the consumer, as a flavor enhancer, preservative, binder, fermentation-control additive, texture-control agent and color developer. The salt consumption in the food industry is subdivided, in descending order of consumption, into other food processing, meat packers, canning, baking, dairy and grain mill products. Salt is added to promote color development in bacon, ham and other processed meat products. As a preservative, salt inhibits the growth of bacteria. Salt acts as a binder in sausages to form a binding gel made up of meat, fat, and moisture. Salt also acts as a flavor enhancer and as a tenderizer.[10]

In many dairy industries, salt is added to cheese as a color-, fermentation-, and texture-control agent. The dairy subsector includes companies that manufacture creamery butter, condensed and evaporated milk, frozen desserts, ice cream, natural and processed cheese, and specialty dairy products. In canning, salt is primarily added as a flavor enhancer and preservative. It also is used as a carrier for other ingredients, dehydrating agent, enzyme inhibitor and tenderizer. In baking, salt is added to control the rate of fermentation in bread dough. It also is used to strengthen the gluten (the elastic protein-water complex in certain doughs) and as a flavor enhancer, such as a topping on baked goods. The food-processing category also contains grain mill products. These products consist of milling flour and rice and manufacturing cereal breakfast food and blended or prepared flour. Salt is also used a seasoning agent, e.g. in potato chips, pretzels, cat and dog food.[10]

Sodium chloride is used in veterinary medicine as emesis-causing agent. It is given as warm saturated solution. Emesis can also be caused by pharyngeal placement of small amount of plain salt or salt crystals.

Medicine

NFPA 704 (fire diamond)	
Lethal dose or concentration (LD, LC):	
LD_{50} (median dose)	3 g/kg (oral, rats)[7]
Related compounds	
Other anions	Sodium fluoride Sodium bromide Sodium iodide Sodium astatide
Other cations	Lithium chloride Potassium chloride Rubidium chloride Caesium chloride Francium chloride
Supplementary data page	
Sodium chloride (data page)	
Except where otherwise noted, data are given for materials in their standard state (at 25 °C [77 °F], 100 kPa). ✗ verify (what is ✓✗ ?) Infobox references	

Sodium chloride is used together with water as one of the primary solutions for intravenous therapy. Nasal spray often contains a saline solution.

Firefighting

Sodium chloride is the principal extinguishing agent in fire extinguishers (Met-L-X, Super D) used on combustible metal fires such as magnesium, potassium, sodium, and NaK alloys (Class D). Thermoplastic powder is added to the mixture, along with waterproofing (metal stearates) and anti-caking materials (tricalcium phosphate) to form the extinguishing agent. When it is applied to the fire, the salt acts like a heat sink, dissipating heat from the fire, and also forms an oxygen-excluding crust to smother the fire. The plastic additive melts and helps the crust maintain its integrity until the burning metal cools below its ignition temperature. This type of extinguisher was invented in the late 1940s as a cartridge-operated unit, although stored pressure versions are now popular. Common sizes are 30 pounds (14 kg) portable and 350 pounds (160 kg) wheeled.



A class-D fire extinguisher for various metals

Cleanser

Since at least medieval times, people have used salt as a cleansing agent rubbed on household surfaces. It is also used in many brands of shampoo, toothpaste and popularly to de-ice driveways and patches of ice.

Optical usage

Defect-free NaCl crystals have an optical transmittance of about 90% for infrared light, specifically between 200 nm and 20 μm. They were therefore used in optical components (windows and prisms) operating in that spectral range, where few non-absorbing alternatives exist and where requirements for absence of microscopic inhomogeneities are less strict than in the visible range. While inexpensive, NaCl crystals are soft and hygroscopic – when exposed to the ambient air, they gradually cover with "frost". This limits application of NaCl to dry environments, vacuum sealed assembly areas or for short-term uses such as prototyping. Nowadays materials like zinc selenide (ZnSe), which are stronger mechanically and are less sensitive to moisture, are used instead of NaCl for the infrared spectral range.

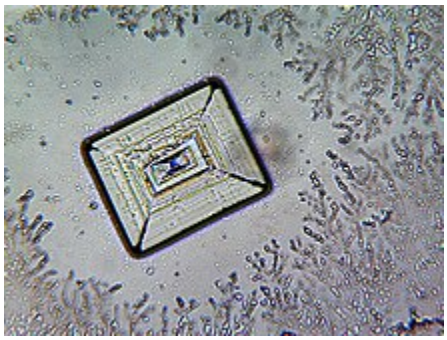
Chemistry

Solid sodium chloride

In solid sodium chloride, each ion is surrounded by six ions of the opposite charge as expected on electrostatic grounds. The surrounding ions are located at the vertices of a regular octahedron. In the language of close-packing, the larger chloride ions (167 pm in size[17]) are arranged in a cubic array whereas the smaller sodium ions (116 pm[17]) fill all the cubic gaps (octahedral voids) between them. This same basic structure is found in many other compounds and is commonly known as the halite or rock-salt crystal structure. It can be represented as a face-centered cubic (fcc) lattice with a two-atom basis or as two interpenetrating face centered cubic lattices. The first atom is located at each lattice point, and the second atom is located halfway between lattice points along the fcc unit cell edge.

Solid sodium chloride has a melting point of 801 °C. Thermal conductivity of sodium chloride as a function of temperature has a maximum of 2.03 W/(cm K) at 8 K (−265.15 °C; −445.27 °F) and decreases to 0.069 at 314 K (41 °C; 106 °F). It also decreases with doping.[18]

Atomic-resolution real-time video imaging allows visualization of the initial stage of crystal nucleation of sodium chloride.[19]

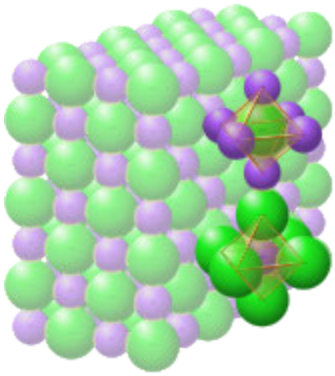


Sodium chloride crystal under microscope.

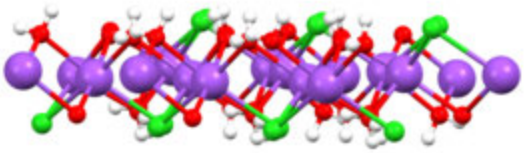
Aqueous solutions

The attraction between the Na^+ and Cl^- ions in the solid is so strong that only highly polar solvents like water dissolve NaCl well.

Solubility of NaCl (g NaCl / 1 kg of solvent at 25 °C (77 °F))[20]	
Water	360
Formamide	94
Glycerin	83
Propylene glycol	71
Formic acid	52
Liquid ammonia	30.2
Methanol	14
Ethanol	0.65
Dimethylformamide	0.4
Propan-1-ol	0.124
Sulfolane	0.05
Butan-1-ol	0.05
Propan-2-ol	0.03
Pentan-1-ol	0.018
Acetonitrile	0.003
Acetone	0.00042



NaCl octahedra. The yellow stipples represent the electrostatic force between the ions of opposite charge



View of one slab of $NaCl(H_2O)_2$ (red = O, white = H, green = Cl, purple = Na).[21]

When dissolved in water, the sodium chloride framework disintegrates as the Na^+ and Cl^- ions become surrounded by polar water molecules. These solutions consist of metal aquo complex with the formula $[Na(H_2O)_8]^+$, with the Na–O distance of 250 pm. The chloride ions are also strongly solvated, each being surrounded by an average of six molecules of water.[22] Solutions of sodium chloride have very different properties from pure water. The

eutectic point is −21.12 °C (−6.02 °F) for 23.31% mass fraction of salt, and the boiling point of saturated salt solution is near 108.7 °C (227.7 °F).[11] From cold solutions, salt crystallises as the dihydrate $NaCl{\cdot}2H_2O$.[23]

pH of sodium chloride solutions

The pH of a sodium chloride solution remains ≈7 due to the extremely weak basicity of the Cl^- ion, which is the conjugate base of the strong acid HCl. In other words, NaCl has no effect on system pH[24] in diluted solutions where the effects of ionic strength and activity coefficients are negligible.

Stoichiometric and structure variants

Common salt has a 1:1 molar ratio of sodium and chlorine. In 2013, compounds of sodium and chloride of different stoichiometries have been discovered; five new compounds were predicted (e.g., Na_3Cl, Na_2Cl, Na_3Cl_2, $NaCl_3$, and $NaCl_7$). The existence of some of them has been experimentally confirmed at high pressures and other conditions: cubic and orthorhombic $NaCl_3$, two-dimensional metallic tetragonal Na_3Cl and exotic hexagonal NaCl.[25] This indicates that compounds violating chemical intuition are possible, in simple systems under nonambient conditions.[26]

Occurrence

Most of the world's salt is dissolved in the ocean. A lesser amount is found in the Earth's crust as the water-soluble mineral halite (rock salt), and a tiny amount exists as suspended sea salt particles in the atmosphere. These particles are the dominant cloud condensation nuclei far out at sea, which allow the formation of clouds in otherwise non-polluted air.[27]

Production

Salt is currently mass-produced by evaporation of seawater or brine from brine wells and salt lakes. Mining of rock salt is also a major source. China is the world's main supplier of salt.[10] In 2017, world production was estimated at 280 million tonnes, the top five producers (in million tonnes) being China (68.0), United States (43.0), India (26.0), Germany (13.0), and Canada (13.0).[28] Salt is also a byproduct of potassium mining.



Modern rock salt mine near Mount Morris, New York, United States



Jordanian and Israeli salt evaporation ponds at the south end of the Dead Sea.



Mounds of salt, Salar de Uyuni, Bolivia.

See also

Chemistry portal

- Biosalinity
- Edible salt (table salt)
- Halite, the mineral form of sodium chloride
- Health effects of salt
- Salinity
- Salting the earth
- Salt poisoning

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- This article incorporates public domain material (https://www.usgs.gov/information-policies-and-instructions/copyrights-and-credits) from *Salt* (https://minerals.usgs.gov/minerals/pubs/commodity/salt/myb1-2008-salt.pdf) (PDF). United States Geological Survey.

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External links

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Retrieved from "https://en.wikipedia.org/w/index.php?title=Sodium_chloride&oldid=1135174281"

EXHIBIT 7

attached to: "MOTION FOR SET ASIDE OR RELIEVE DEFENDANT OF JUDGMENT OF CONVICTION OF CRIMINAL CHARGE PURSUANT TO VIRGINIA CODE § 8.01-428(D), VIRGINIA CODE § 8.01-428(A) AND VIRGINIA CODE § 8.01-428(B) ON THE BASIS OF FRAUD UPON THE COURT, CLERICAL FACTUAL ERRORS"

by Brian David Hill

Case no. CR19000009-00, Circuit Court, City of Martinsville, Virginia

Ally of Q, Former news reporter of USWGO Alternative News
JUSTICEFORUSWGO.WORDPRESS.COM







IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA
Durham Division



Brian David Hill,
Petitioner
v.
United States of America,
Respondent

Case #
1:13-CR-435-1
1:17-CV-1036

STATUS REPORT OF PETITIONER SEPTEMBER 27, 2018

I, Brian David Hill ("Brian D. Hill", "Petitioner"), in this § 2255 case, acting pro se in this manner, files this status report and Declaration updating the court for this case. Because of the current situation described herein, Petitioner requests a court appointed lawyer.

DECLARATION

I Brian D. Hill produce these statements, subject to the penalties of perjury under U.S. Code:

(1.) I am currently in Martinsville City Jail over a local criminal case and situation where it must be disclosed to the habeas court over what actually happened. Petitioner believes it is connected over the matter concerning and effecting this § 2255 case.

(2.) ON SEPTEMBER 18th, 2018, Somebody was in the ~~the~~ thicket at the end of my neighbor's property and branches moved ~~that~~ whenever I looked in that direction. I was around the period when I was mowing the grass between the time period of 1 to 4PM. That was a Tuesday. Likely surveiling me.

(3.) On September 19, 2018, Wednesday, I called into a political talk show after Sandra Wilson invited me to call into a Family Court issues type of show on Blog Talk Radio, by a I believe it was a woman named Valerie K. Lazarus (hope I spelled it right). Told her about the fraud on the court concerning this case. We also spoke about the Americans with Disabilities Act and the one woman said how if I ~~have~~ had an IEP when I was in school, then they (I assume she meant police) can (or may) get in trouble for violating the Americans with Disabilities Act the way it was handled in regards to my criminal case.

(4.) On September 20, 2018 Thursday, some of my memories may have been blacked out. I was under an extreme amount of stress and anxiety already due to the pre-filing injunction Motion. My whole family could tell. My mom had also noticed that my doors were not being kept locked. I was psychologically afraid to sleep in my bed. Sometimes sleeping on the couch and I had a bad feeling something bad would happen to me.

I was able to go the Massanutten Resort from Monday to Thursday last week in Rockingham County, VA, in my district. I think it was between Sept. 10 through 13/2018 if I am correct from memory. My family noticed that I didn't want to go back home. As if something was terrifying in my psychological mind, and I haven't kept my door or doors locked. Around 11 I went walking beside the road on the sidewalk and as I was around a warehouse or some kind of building, near or around the Martinsville VA downtown area ~~Area~~ near the hiking trail of "Dick and Willie", I was approached by a man in a hoodie probably some time between 11 to 12 that night. I think maybe between 5 to 6 feet tall, maybe white told me "You ~~[redacted]~~ had better take your clothes off in public and take pictures of yourself and place the SD card around the bench after the bridge..." "...or [redacted] they [redacted] would kill my mom Roberta Hill". At one point I felt like I might collapse so I may have been drugged. I had to keep sitting on benches. I didn't want my mother to be killed. My weakness is my Mother. I gave a false confession in 2017 because of being told "You better fess up or else your mother would be held responsible." Whoever threatened me that night knew my weakness. If I walk to the police or don't do what that man said would my mom be shot full of holes while sleeping and killed? be

3

I didn't Know what to do, I Kinda lost my mind when taking pictures of myself. If I didn't put on a good show would my mother be Killed like the stuff in Hollywood action movies. I had a feeling it had something to do with the things brought up in my case. The threats from torrmail.org messages which were successfully carried out. I Knew I couldn't mess with these people with a threat that serious. Out of fear and desperation I walked were vehicles would see me with a hand gesture of my hand over my mouth. I was naked on the trail. I was trying to signal with that hand gesture that I was in trouble. I decided not to place the SD card at the bench as how would they Know? Maybe I could still go to the police and warn my mom. As I was walking back I saw a truck with a spotlight on me with no way to tell who it was. I was scared so I ran and then noticed a red lazer beam light like what private mercenaries, bad guys and good guys all have. A light came on with a guy yelling at me. I didn't Know who he was. I was scared it was them going to kill me for not exactly following the hoodie guys directives. I ran fell down the left side slope of the trail getting cuts and scrapes all over my body until I fell in the ~~river~~ bed creek bed. They were down there and at that point I realized they were police.

4

I said over and over again while complying "I have Autism, I have Autism, I have Autism, I have Autism." I felt they couldn't hear me out. I said "I was attacked" told Sgt. R.D. Jones that I need to speak with a detective. It was probably around 3 to 4 AM at around Friday, September 21, 2018. He asked me why I was naked on the trail. I tried to explain to him as much of what happened as I could. He mistook my statement of heading towards the YMCA building with the warehouse and I told him "You don't understand Autism." maybe "are you trained in Autism?" Sgt. R.D. Jones said "how do I know you even have Autism." I responded with "Dennis Debbaut a law enforcement trainer. He did a white paper. People with Autism can give false confessions and misleading statements. Officer you misunderstood what I said about the YMCA building," after or before my answer to his "how do I know you even have Autism" was "it was in federal court records." He gave me that look where he didn't want to accept anything I said. He even said "If your lying to me, I will charge you with making (or filing) a false report!" I looked at him straight in the eyes and said I am not lying, even told him something about "am I supposed to let my mother be killed" or something to that effect. He still wouldn't accept what I had told him. I then told him "You don't understand Autism. You are violating title II of the Americans with Disabilities Act."

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I was being charged with "indescent exposure". I further told Sgt. R.D. Jones that I was going to win the jury trial and sue him for violating the ADA. Argument escalated to me saying to him "Fu*k You". At one point things cooled down and I was in front of the TV with a Magistrate. She, the Magistrate, brought up about my federal criminal conviction and my 2015 Probation Violation. I explained to her that the case is under a habeas corpus 2255 review for my claim of ~~"actual innocence"~~ "actual innocence" or something to that effect. She assumed that it was some kind of an appeal. Told her that the probation violation was over U.S. Probation Officer Kristy L. Burton making false statements, which is perjury and may have mentioned that Anand Prakash ~~Ramaswamy~~ Ramaswamy committed subornation of perjury, gave her the federal case number. Also mentioned about fraud on the court. I was given no bond that day. Was charged in Martinsville General District Court, Case no. C18-3138. It might be named as Commonwealth of Virginia v. Brian David Hill. At one point I told Sgt. Jones that "you aren't doing anything about the drug dealers in my (or our) neighborhood" that the FBI aren't doing anything about the threats, I don't trust the police.

(5) On September 26, 2018, I had filed a request form for the jail directing that it be forwarded to MPD Sgt. R.D. Jones with more statements incl. a Declaration as evidence.

6

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I explained that witness Roberta Hill had received a threatening "greeting card" postmarked Tennessee, she received some point (or some time) this year. It had no return address. Gave the officer her phone number.

Then I said under Declaration on the back of that "Request for Interview" form that my first received tormail.org message said that I was set up with child porn, that Alex Jones... (e) and others were next. my friends

(e) Some information omitted

I gave this federal criminal case number, cited Document #46 Declaration of Susan Bashe. Then ~~told him a~~ told him in writing about the threatening message that was reported to J. Joy Strickland counsel to the N.C. Department of Justice. I explained that one part of the threatening email message said that I would be set up with violent sex crimes if I don't watch my back. If my mother being killed if I ~~did~~ didn't walked naked in public and take pictures, the "~~indece~~ indecent exposure" charge may legally be defined as a "violent sex offense". The threats went from tormail.org to being physical. I was set up with the violent sex crime of "indecent exposure" just like the 2013 tormail threat said would happen.

While I am incarcerated my diabetic blood sugar reads are getting a lot of highs right now. In the 300's ~~400s~~ and 500's. I am suffering nerve pain, and other bad effects of high blood sugar.

7

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The Court may request a copy of my September 26 2018 filed "Request for interview" form from Martinsville VA City Jail at P.O. Box 1326 Martinsville VA 24112 or at 300 Clearview Drive same city. That way that can expand the record for this § 2255 case.

(6) Petitioner requests that an attorney be appointed at this interval for his 2255 case since this incarceration is at a facility that:

(1) Has no law library. The Public Defender in Martinsville cannot represent me for this 2255 a case;

(2) Paper and resources are highly limited as per Jail's "rules and regulations". Stamps and envelopes also limited. I won't be able to make valid pleadings compliant with this Court's rules while incarcerated and very limited access to resources needed for this case. I won't be able to properly cite court rules case law, and statutes while incarcerated; or may

(3) While incarcerated I will not be able to bring up evidence if the habeas court requests;

(4) Be at a large disadvantage which deprives me of due process under the 14th Amendment of U.S. Constitution. Being deprived of my ability to prove factual innocence in my 2255 case.

If the court cannot appoint court appointed counsel for this 2255 case, alternatively Petitioner asks this honorable Court to delay this 2255 case until Petitioner is not under incarceration.

8

(7) I make this PROCLAMATION to the hon. Court, to my Mother and family, to the U.S. Probation office, and to Martinsville District Court. The incident of "indecent exposure" is considered isolated and out of character. I swear under Oath that it will never happen again. Charge is of a technical nature. I was threatened to get naked. I never masturbated, it was a crazy [redacted] incident. Whoever threatened me needs to be charged and arrested. My mother hates me over what happened. I'm sorry mom I was scared and didn't know what to do. I didn't want my mom to die. I am sorry for leaving around 11. The threats coming at me, the fear, the bad feeling in my gut. Next time I'm threatened I will report to police state police and FBI. What I did on the hiking trail and leaving without telling my mom will never ever happen again. I'm tired of the Legal Terrorism, the criminal threats, and being afraid. I just want to prove my actual innocence and move on with my life. I am tired of feeling afraid for my family and my life. It's tearing me apart. My family can tell my health is degrading. I provided so much evidence to the Habeas Court, please let me prove my innocence, have an evidentiary hearing. I have facts of innocence. Let me prove it. People with Autism can be manipulated, easily threatened, abused.

(8) Before this charge, I was working on a [redacted] Rule 11 Motion for sanctions, case law Chambers v. Nasco Supreme Court case (fraud on the court), and citing state bar rule 3.8. I was going to show fraud on the court in the Respondent's factual basis of guilt, in their pre-filing injunction motion, and in the motion to dismiss.

9

I wanted to show the fraud on the court by ~~Respondent~~ Respondent give them 21 days (maybe 25 days) to respond before filing, then the court can decide under Chambers v. NASCO whether Respondent's Motions should be summarily denied. Subornation of perjury by Anand P. Ramaswamy is already a fraud on the court in 2015. Respondent's resistance to me proving my innocence clearly violates Rule 3.8 of the state's Model Rules of Professional Conduct N.C. State Bar. Rule 11 sanctions may be appropriate. I will serve them a rule 11 motion copy once released from jail. To resolve the issues between Respondent and Petitioner, Petitioner requests that the U.S. Attorney General appoint special counsel to represent Respondent for this §2255 case.

Thank You!

I declare under penalty of perjury that the foregoing is true and correct. Executed on September 27, 2018.

Respectfully filed with the court, this the 27th day of September, 2018.

Brian D. Hill
Signed

CERTIFICATE OF SERVICE

Petitioner certifies that he dropped this status report in the Jail institution's mailbox on September 27th 2018, addressed to the Clerk, respectfully requests that all parties to the case are served by CM/ECF or by U.S. mailing. Petitioner asks Clerk to mail ~~se~~ letter certifying receipt of this pleading.

10

Brian D. Hill
Signed

Brian David Hill
Martinsville City Jail
P.O. Box 1326
Martinsville VA 24112

Clerk: Please send letter confirming receipt.

Declaration and reCertificate of service

Brian David Hill v. United States October 10, 2018

I Brian David Hill had mailed the wrong address and [illegible] refiling the "Status Report of Petitioner September 27, 2018" on October 10, 2018. The address was mailed to 324 W. Market Street, Suite 1 Martinsville VA 24112. That address was incorrect. It should have been 324 W. Market Street, Suite 1, Greensboro, NC 27401.

So I recertify under the CERTIFICATE OF SERVICE that I file the pleading on Oct. 10, by depositing the pleading in an envelope prepaid in the Jail's mailing system. Again, I ask the Clerk to send me a letter acknowging receipt of this pleading, and notify me which Document no.'s or I ask that my docket sheet be printed and sent to me showing my last few entries.

I learned from Martinsville City Jail that I am limited by Jail policies to 1 short ink pen per month, 5 envelopes per week, no law library at all, and they have to destroy all envelopes including legal mail envelopes directed to inmates in MCJ. Envelopes are evidence but Jail officers can destroy envelopes including mail envelopes from Federal Courts. The Jail's policies seem unconstitutional and block me from continuing to ~~proceed~~ proceed in this 2255. I ask that I be appointed a lawyer for my 2255.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on October 10, 2018.

Brian D. Hill
Signed

U.S.W.G.O,

Brian David Hill
Martinsville City Jail (MCJ)
P.O. Box 1326, Martinsville VA
24112

3830

EXHIBIT 8

attached to: "MOTION FOR SET ASIDE OR RELIEVE DEFENDANT OF JUDGMENT OF CONVICTION OF CRIMINAL CHARGE PURSUANT TO VIRGINIA CODE § 8.01-428(D), VIRGINIA CODE § 8.01-428(A) AND VIRGINIA CODE § 8.01-428(B) ON THE BASIS OF FRAUD UPON THE COURT, CLERICAL FACTUAL ERRORS"

by Brian David Hill

Case no. CR19000009-00, Circuit Court, City of Martinsville, Virginia

Ally of Q, Former news reporter of USWGO Alternative News
JUSTICEFORUSWGO.WORDPRESS.COM







EXHIBIT 1

For Federal civil complaint
-- MOTION ASKING THE COURT TO REQUEST LEGAL COUNSEL TO REPRESENT THE PLAINTIFF -- MOTION AND BRIEF IN SUPPORT OF THIS MOTION --
Brian David Hill v. Executive Office for United States Attorneys (EOUSA), United States Department of Justice (U.S. DOJ)
Civil Case Number 4:17-cv-00027

CARILION CLINIC

CARILION CLINIC, FAMILY AND INTERNAL MEDICINE
1107a Brookdale Street
Martinsville VA 24112
Phone: 276-670-3300
Fax: 276-634-0379

5/16/2017

RE:
Brian Hill
310 Forest St Apt 2
Martinsville VA 24112-4939

To Whom it May Concern:

This is to certify that Brian Hill is my patient since 11/2014. He has a diagnosis of diabetes, seizures, autism and obsessive compulsive disorder. One or more of these condition can limit his ability to be in social situation or among people and do work.

Please feel free to contact my office if you have any questions or concerns. Thank you for your assistance in this matter.

Sincerely,

Shyam E Balakrishnan, MD

EXHIBIT 9

attached to: "MOTION FOR SET ASIDE OR RELIEVE DEFENDANT OF JUDGMENT OF CONVICTION OF CRIMINAL CHARGE PURSUANT TO VIRGINIA CODE § 8.01-428(D), VIRGINIA CODE § 8.01-428(A) AND VIRGINIA CODE § 8.01-428(B) ON THE BASIS OF FRAUD UPON THE COURT, CLERICAL FACTUAL ERRORS"

by Brian David Hill

Case no. CR19000009-00, Circuit Court, City of Martinsville, Virginia

Ally of Q, Former news reporter of USWGO Alternative News
JUSTICEFORUSWGO.WORDPRESS.COM







EXHIBIT 2

For Federal civil complaint
-- DECLARATION OF BRIAN DAVID HILL IN SUPPORT OF DOCUMENT 2 COMPLAINT AND IN SUPPORT OF MOTION UNDER RULE 45 ASKING THE CLERK TO SUBPOENA ATTORNEY JOHN SCOTT COALTER FOR DISCOVERY AND TO PROVE THE FACTUAL MATTER UNDER COMPLAINT --
Brian David Hill v. Executive Office for United States Attorneys (EOUSA), United States Department of Justice (U.S. DOJ)
Civil Case Number 4:17-cv-00027

WESTERN ROCKINGHAM FAMILY MEDICINE, P.A.
BROWN SUMMIT FAMILY MEDICINE

Donald W. Moore, M.D.
Tom Pickard, M.D.
Mary Beth Dixon, PA-C
Andrew Maier, PA-C,
Francis P. Wong, M.D.

Donna Steadman, R.N.-C.S., N.P.
Mary Margaret Martin, FNP
Susan Weeks, FNP
Michelle Borovich, Pharm-D, CPP
Tammy Eckard, Pharm-D, CPP

September 6, 2012

Re: Brian Hill
DOB: 5-26-90

To Whom It May Concern:

Brian Hill is a current patient at Western Rockingham Family Medicine. He has a diagnosis of Type I Diabetes, GERD, Autism, and depression with suicidal thoughts. His medication list is as follows: Nexium 40 mg, 1 po qd, Lantus Sola star pen, 36 units q hs, Novolog flex pen--sliding scale, Lisinopril 5mg, 1 po qd. Mr. Hill has an inability to take of himself, therefore needs around the clock care. If further assistance is required, please do not hesitate to contact our office at (336) 548-9618.

Sincerely,

Andrew Maier, PA-C
Western Rockingham Family Medicine

401 W. DECATUR STREET, MADISON, NORTH CAROLINA 27025 OFFICE: (336) 548-9618 FAX: (336) 548-4577

4901 NC HWY . 150 EAST, BROWN SUMMIT, NC 27214 OFFICE: (336) 656-9985 FAX: (336)656-5227
WEBSITE: www.wrfm.com

EXHIBIT 10

attached to: "MOTION FOR SET ASIDE OR RELIEVE DEFENDANT OF JUDGMENT OF CONVICTION OF CRIMINAL CHARGE PURSUANT TO VIRGINIA CODE § 8.01-428(D), VIRGINIA CODE § 8.01-428(A) AND VIRGINIA CODE § 8.01-428(B) ON THE BASIS OF FRAUD UPON THE COURT, CLERICAL FACTUAL ERRORS"

by Brian David Hill

Case no. CR19000009-00, Circuit Court, City of Martinsville, Virginia

Ally of Q, Former news reporter of USWGO Alternative News
JUSTICEFORUSWGO.WORDPRESS.COM







EXHIBIT 1

For Federal civil complaint Brian David Hill v. Executive Office for United States Attorneys (EOUSA), United States Department of Justice (U.S. DOJ)

www.dmvNow.com
Virginia Department of Motor Vehicles
Post Office Box 27412
Richmond, Virginia 23269-0001

MED 10 (02/17/2011)

DISABLED PARKING PLACARDS OR LICENSE PLATES APPLICATION

Purpose: Use this form to apply for a disabled parking placard or disabled parking license plates.

Instructions: Submit to any Customer Service Center, DMV Select or mail to DMV, Data Integrity, P.O. Box 85815, Richmond, VA 23285-5815.

- For a parking placard, submit this form with a $5.00 check or money order payable to DMV. Placard will be mailed to you in approximately 15 days. Only one placard may be issued to a customer.
- For disabled parking license plates, submit this form, a License Plate Application (VSA 10) and applicable fees.

DISABLED PARKING PLACARD ONLY
(Disabled parking placard hangs from the rearview mirror.)

CHECK ONE

PERMANENT (5 years)	PERMANENT REPLACEMENT (5 years)	TEMPORARY (up to 6 months)	TEMPORARY REPLACEMENT
☑ Original (medical professional certification required)	☐ Lost ☐ Stolen	☐ Original	☐ Lost ☐ Stolen
☐ Renewal (No medical professional certification required.)	☐ Destroyed ☐ Mutilated		☐ Destroyed ☐ Mutilated
	☐ Reissue		☐ Reissue

DISABLED PARKING (HP) LICENSE PLATES ONLY

ORIGINAL PLATES	DUPLICATE	REISSUE	
☐ Complete and submit form VSA 10	☐ Lost ☐ Destroyed	☐ Unreadable (License plate letters or numbers unclear) ☐ Never received license plates	☐ Check this box if this vehicle is specifically equipped and used for transporting groups of physically disabled persons.

VEHICLE IDENTIFICATION NUMBER (VIN) | TITLE NUMBER

☐ I am the vehicle owner and the parent/legal guardian of a disabled dependent(s). List the name of each disabled person below.

APPLICANT INFORMATION

FULL LEGAL NAME (last)	(first)	(middle)	(suffix)	DMV ASSIGNED NUMBER OR SOCIAL SECURITY NUMBER
HILL	BRIAN	David		[redacted]

CURRENT RESIDENCE ADDRESS	☑ Check here if this is a new address.	CITY	STATE	ZIP CODE
310 Forest St., Apt. 2		Martinsville	VA	24112

CITY OR COUNTY OF RESIDENCE	DAYTIME TELEPHONE NUMBER OR CELL PHONE NUMBER
Martinsville	(276) 790-3505

MAILING ADDRESS (if different from above)	CITY	STATE	ZIP CODE

BIRTH DATE (mm/dd/yyyy)	GENDER	HAIR COLOR	EYE COLOR	HEIGHT	WEIGHT
	☐ MALE ☐ FEMALE			FT IN	LBS

APPLICANT CERTIFICATION

I understand that misuse, counterfeiting, or alteration of disabled placards may result in fines up to $1000. and up to 6 months in jail and/or revocation of disabled parking privileges. I certify that I have a (check one): ☐ Temporary ☑ Permanent disability that limits or impairs my ability to walk or creates a safety concern while walking.

I also understand that the disabled parking placard or plates issued to me cannot be loaned to anyone, including family members or friends, to benefit a person other than myself.

I further certify and affirm that all information presented in this form is true and correct, that any documents I have presented to DMV are genuine, and that the information included in all supporting documentation is true and accurate. I make this certification and affirmation under penalty of perjury and I understand that knowingly making a false statement or representation on this form is a criminal violation.

APPLICANT SIGNATURE	DATE (mm/dd/yyyy)
Brian D. Hill Signed	08/18/2016

LICENSED PHYSICIAN/PHYSICIAN ASSISTANT/NURSE PRACTITIONER MEDICAL CERTIFICATION

(This section does not have to be completed to renew permanent placards.)

☒ Permanently limited or impaired. A permanent disability as it relates to disabled parking privileges shall mean: a condition that limits or impairs movement from one place to another or the ability to walk as defined in Virginia Code §46.2-1240, and that has reached the maximum level of improvement and is not expected to change even with additional treatment.

☐ Temporarily limited or impaired beginning in the month of _____ and ending in the month of _____ (not to exceed 6 months).

Reason this patient's ability to walk is limited or impaired or creates a safety condition while walking. (check below)

☐ Cannot walk 200 feet without stopping to rest.

☐ Uses portable oxygen.

☐ Cannot walk without the use of or assistance from any of the following: another person, brace, cane, crutch, prosthetic device, wheelchair, or other assistive device.

☐ Has a cardiac condition to the extent that functional limitations are classified in severity as Class III or Class IV according to standards set by the American Heart Association.

☐ Is restricted by lung disease to such an extent that forced (respiratory) expiratory volume for one second, when measured by spirometry, is less than one liter, or the arterial oxygen tension is less than 60 millimeters of mercury on room air at rest.

☐ Is severely limited in ability to walk due to an arthritic, neurological, or orthopedic condition.

☒ Has been diagnosed with a mental or developmental amentia or delay that impairs judgment including, but not limited to, an autism spectrum disorder.

☐ Has been diagnosed with Alzheimer's disease or another form of dementia.

☐ Is legally blind or deaf.

☐ Other condition that limits or impairs the ability to walk. Specific condition description must be specified below.

I certify and affirm that the described applicant is my patient, whose ability to walk, based on my examination, is limited or impaired or creates a safety concern while walking as described above.

I further certify and affirm that to the best of my knowledge and belief, all information I have presented in this form is true and correct, that any documents I have presented to DMV are genuine, and that the information included in all supporting documentation is true and accurate. I make this certification and affirmation under penalty of perjury and I understand that knowingly making a false statement or representation on this form is a criminal violation.

MEDICAL PROFESSIONAL NAME	OFFICE TELEPHONE NUMBER	OFFICE FAX NUMBER
SHYAM BALAKRISHNAN	(276) 670 3300	(276) 634-0362

LICENSE TYPE	LICENSE NUMBER (required)	STATE ISSUING LICENSE (required)	LICENSE EXPIRATION DATE (mm/dd/yyyy) (required)
MD	[redacted]	VA	[redacted]

MEDICAL PROFESSIONAL SIGNATURE	DATE (mm/dd/yyyy)
[redacted]	8/3/16

LICENSED CHIROPRACTOR OR PODIATRIST MEDICAL CERTIFICATION

(This section does not have to be completed to renew permanent placards.)

☐ Permanently limited or impaired. A permanent disability as it relates to disabled parking privileges shall mean: a condition that limits or impairs movement from one place to another or the ability to walk as defined in Virginia Code §46.2-1240, and that has reached the maximum level of improvement and is not expected to change even with additional treatment.

☐ Temporarily limited or impaired beginning in the month of _____ and ending in the month of _____ (not to exceed 6 months).

Reason this patient's ability to walk is limited or impaired or creates a safety condition while walking. (Checked below)

☐ Cannot walk 200 feet without stopping to rest.

☐ Cannot walk without the use of or assistance from any of the following: another person, brace, cane, crutch, prosthetic device, wheelchair, or other assistive device.

☐ Is severely limited in ability to walk due to an arthritic, neurological or orthopedic condition.

☐ Other condition that limits or impairs the ability to walk. Specific condition description must be specified below.

I certify and affirm that the described applicant is my patient, whose ability to walk, based on my examination, is limited or impaired or creates a safety concern while walking as described above.

I further certify and affirm that to the best of my knowledge and belief, all information I have presented in this form is true and correct, that any documents I have presented to DMV are genuine, and that the information included in all supporting documentation is true and accurate. I make this certification and affirmation under penalty of perjury and I understand that knowingly making a false statement or representation on this form is a criminal violation.

MEDICAL PROFESSIONAL NAME	OFFICE TELEPHONE NUMBER	OFFICE FAX NUMBER
	( )	( )

LICENSE TYPE	LICENSE NUMBER (required)	STATE ISSUING LICENSE (required)	LICENSE EXPIRATION DATE (mm/dd/yyyy) (required)

MEDICAL PROFESSIONAL SIGNATURE	DATE (mm/dd/yyyy)

DMV USE ONLY

PLATE/PLACARD NUMBER	PLACARD EXPIRATION DATE (mm/dd/yyyy)	EMPLOYEE STAMP

CUSTOMER CREDIT CARD NUMBER	CREDIT CARD EXPIRATION DATE (mm/yy)	FEE COLLECTED

Hill, Brian (MRN 7244793) Encounter Date: 07/18/2016

Brian Hill
7/18/2016 3:30 PM Office Visit

Provider: **Demetrios Herodotou, MD**
Department: **Carilion Clinic, Endocrinology**
Dept Phone: **540-224-5170**

Patient Preferred Name

No data filed

Basic Information

Date Of Birth	Sex	Race	Ethnicity	Preferred Language
5/26/1990	Male	White or Caucasian	Non-Hispanic	English

Department

Name	Address	Phone	Fax
Carilion Clinic, Endocrinology	3 Riverside Circle Roanoke VA 24016	540-224-5170	540-983-8229

Reason for Visit

Follow-up

Diabetes type 1

Reason for Visit History

Your Vitals Were

BP	Pulse	Ht	Wt	BMI	Smoking Status
132/78 mmHg	89	1.753 m (5' 9")	92.126 kg (203 lb 1.6 oz)	29.98 kg/m2	Never Smoker

To Do List

Friday September 02, 2016 10:45 AM Appointment with Herodotou, Demetrios at Carilion Clinic, Endocrinology (540-224-5170)
3 Riverside Circle
Roanoke VA 24016

Pending Health Maintenance

	Date Due	Completion Dates
TDAP IMMUNIZATION	**5/26/2001**	—
DIABETIC FOOT EXAM	**5/26/2008**	—
DIABETIC EYE EXAM	**5/26/2008**	—
DIABETIC 6 MONTH HGA1C	11/6/2016	5/6/2016, 2/1/2016, 10/22/2015, 7/2/2015, 5/4/2015, 1/19/2015, 3/22/2013

Allergies

Anesthetic [Benzocaine-Aloe Vera] Resident gets out of control	Other - See Comments
Vaccine Adjuvant Emulsion Combination No. 1 Resident stated he gets out of control	
Zantac [Ranitidine Hcl]	Diarrhea

Your Current Medications Are

insulin aspart (NOVOLOG FLEXPEN) 100 unit/mL Insulin Pen (Taking)	10 Units by Subcutaneous route as directed for Other (follow the sliding scale.)
insulin glargine (LANTUS) 100 unit/mL Solution (Taking)	36 Units by Subcutaneous route every night
omeprazole (PRILOSEC OTC) 20 mg Tablet, Delayed Release (E.C.) (Taking)	take 1 Tab by mouth every day
BD INSULIN SYRINGE ULTRA-FINE 0.5 mL 31 gauge x 5/16 Syringe	1 Each by Subcutaneous route four times daily
BD INSULIN PEN NEEDLE UF MINI 31 X 3/16" (BD INSULIN PEN NEEDLE UF MINI)	1 Each by Subcutaneous route four times daily

Your Current Medications Are (continued)

31 gauge x 3/16" Needle	
Insulin Needles, Disposable, (BD INSULIN PEN NEEDLE UF SHORT) 31 gauge x 5/16" Needle	1 Units by Does not apply route four times daily
glucose blood VI test strips (FREESTYLE INSULINX TEST STRIPS) Strip	1 Strip by external route three times daily
Blood-Glucose Meter (ACCU-CHEK AVIVA PLUS METER) Misc	1 Device by Does not apply route three times daily
Insulin Syringe-Needle U-100 (BD INSULIN SYRINGE ULTRA-FINE) 1 mL 30 x 1/2" Syringe	1 Each by Does not apply route four times daily

Pharmacy

WALGREENS DRUG STORE 12495 - MARTINSVILLE, VA - 2707 GREENSBORO RD AT NWC OF RIVES & US 220
2707 GREENSBORO RD MARTINSVILLE VA 24112-9104
Phone: 276-632-0180 Fax: 276-632-6759
Open 24 Hours?: No

EXHIBIT 11

attached to: "MOTION FOR SET ASIDE OR RELIEVE DEFENDANT OF JUDGMENT OF CONVICTION OF CRIMINAL CHARGE PURSUANT TO VIRGINIA CODE § 8.01-428(D), VIRGINIA CODE § 8.01-428(A) AND VIRGINIA CODE § 8.01-428(B) ON THE BASIS OF FRAUD UPON THE COURT, CLERICAL FACTUAL ERRORS"

by Brian David Hill

Case no. CR19000009-00, Circuit Court, City of Martinsville, Virginia

Ally of Q, Former news reporter of USWGO Alternative News
JUSTICEFORUSWGO.WORDPRESS.COM







EXHIBIT 2

For Federal civil complaint
-- MOTION ASKING THE COURT TO REQUEST LEGAL COUNSEL TO REPRESENT THE PLAINTIFF -- MOTION AND BRIEF IN SUPPORT OF THIS MOTION --
Brian David Hill v. Executive Office for United States Attorneys (EOUSA), United States Department of Justice (U.S. DOJ)
Civil Case Number 4:17-cv-00027

DIVISION FOR TREATMENT AND EDUCATION OF AUTISTIC AND RELATED COMMUNICATION HANDICAPPED CHILDREN

Department of Psychiatry
University of North Carolina

D I A G N O S T I C E V A L U A T I O N

Patient: Brian Hill
Chart #: 60373 D.O.B. 5-26-90
Center: High Point, NC
Date: 10-19-94

Staff: Marquita Fair, Child Therapist
Allison Butwinski, Parent Consultant
Dr. Roger D. Cox, Licensed Practicing Psychologist and Clinical Director

TESTS ADMINISTERED:

Psychoeducational Profile-Revised (PEP-R)
Vineland Adaptive Behavior Scale

REFERRAL INFORMATION:

Child's Name: Brian Hill
Age: 4 years 5 months
Address: 133 Mike Lane, Reidsville, NC 27320
Parents: Roberta Hill
Current Status: Lives at home with mother and is being served in a preschool developmental delayed classroom at Bethany
Referral Source: Sheila Shelton
Reason for Referral: Clarification of diagnosis and educational planning

DEVELOPMENTAL HISTORY:

Brian was born prematurely weighing 3 pounds, 13 1/2 ounces. He received phototherapy for hyperbilirubinemia and was discharged from the hospital at approximately 2 weeks of age. At 18 months, he was hospitalized for 6 days with the onset of insulin dependent Diabetes Mellitus. He currently is taking NPH insulin and Regular insulin and his diet is regulated according to the American Diabetic Association diet. At 35 months Brian was seen at the Greensboro DEC due to language delays. There were concerns regarding Brian's social relatedness and language development. It was felt that his neurodevelopmental profile may represent a form of a pervasive developmental disorder and a TEACCH referral was recommended.

Currently, Brian uses words and short phrases to express his needs. He exhibits pronoun reversals, immediate and delayed echolalia, and repeats some phrases he has heard over and over. He understands and follows simple routine commands but cannot use or answer "Wh" questions.

Though aware of others, Brian has difficulty interacting with them. He is beginning to show an interest in other children but does not initiate interactions. Brian's favorite activities include stacking blocks and listening to music. He recently has become more aware of his mother when she picks him up from school and sometimes greets her by saying "mommy". Brian occasionally becomes upset when he does not have his way and is prone to small episodes of temper tantrums.

FAMILY STATUS:

Brian lives at home with his mother, Roberta Hill in Reidsville. His mother and father are divorced and Brian does not have contact with his father. His maternal grandparents live nearby and he sees them frequently. During the evaluation, Roberta was very friendly and easy to talk to. She offered some very nice information about Brian.

EDUCATIONAL PLACEMENT:

Brian is currently being served in a preschool developmental delayed class at Bethany Preschool in Reidsville. Brian's teacher, Sheila Shelton, who attended the evaluation, felt that Brian had made very nice progress since his enrollment. She appeared flexible and willing to develop a program that considers Brian's individual needs.

DESCRIPTION OF CHILD:

Brian is a cute 4 year 4 month old boy. He was appropriately dressed in long pants and a long sleeved shirt. He was accompanied to the TEACCH Center by his mother, Roberta Hill.

BEHAVIORAL OBSERVATIONS DURING TESTING:

Relating, Cooperating, and Human Interest:

Brian, joined by his mother, accompanied the examiner to the testing room. He whimpered as his mother left the room. When offered a toy, Brian immediately settled down and showed a fleeting interest in the toys on a table. At the start of testing, Brian resisted joining the examiner at the work table. When he became upset, his language consisted largely of echolalia. Although he frequently whined when he did not get his way, he never actually cried. Brian's behavior was unpredictable when he attempted to engage in an activity. When materials were presented, Brian perseverated with them, making it difficult for him to relinquish materials when the task was completed. For example, Brian continued to fuss and ask for bubbles and play-doh

even when they were put away. He asked for the bubbles so often that they were eventually used as a reinforcer when he completed tasks.

Brian's attention to test items varied depending on his interest in the task. When he showed an interest in the items presented, he resisted putting them away. For example, Brian enjoyed doing puzzles, matching colors, and copying shapes. When he was instructed to put them away, he whined and said "do again, do again". Once he became familiar with placing the completed tasks in the "finished basket" it was easier for him to continue on to the next task. He showed limited interest in the kaliedoscope and counting which resulted in him placing incomplete tasks in the "finished basket". Brian was distracted by noises heard outside the door and in the observation booth, which made it difficult to redirect him back to tasks.

Brian was always aware of the examiner's presence. Eye contact was frequent and usually brief. He initiated social interaction by requesting the examiner to join him at the mini-trampoline and holding his hand. Brian appropriately asked for help and used gestures. He often asked for a "tissue please", returning the tissue to the examiner for disposal. He enjoyed being tickled, and although he did not ask for this activity to continue, he backed into the examiner with his arms stretched out as if to indicate that he wanted more.

Sensory Behavior:

Brian usually responded to his name by repeating it. He did not look at the examiner. He appropriately responded to various noisemakers. No unusual interests in taste or textures were noted during testing.

Play and Interest in Materials:

Although Brian often resisted sitting at the work table, he was able to focus on materials when they were presented. He was usually creative in how he used many of the materials. For example, when he used blocks, he made a three dimensional design twice and called them "pyramids". Another time he used the blocks to build "towers". As he identified letters, he told the examiner what each letter stood for; "G for goose", "A for apple", and "Y for yarn". When he used the scissors, he cut out shapes (rectangle and square) and identified them. Brian had his own agenda for completing the tasks. He became upset whenever the examiner suggested that he attempt a task differently.

Brian was most cooperative with tasks that involved writing, copying, matching, and coloring. He anxiously wrote his first and last name several times although not in sequential order. Brian copied shapes, focusing his attention on the examples presented when he was not sure how to draw a shape (triangle and diamond). Brain showed little interest in playing with puppets and pantomining object use.

During free play, Brian chose to jump on the mini-trampoline, play with a toy motorcycle with a man on it, and walk up and down the

wooden steps. When he realized the steps could be turned over to be a rocking boat, he asked for help to turn it over so he could use it alternately as steps and a boat. Several times, he stood near the door and asked for his mother. However, he was easily redirected back to a play activity.

Competence Motivation:

Brian quickly understood the routine of placing finished materials in the "finished basket" to his right. He often returned to the table if he forgot to put his completed tasks in the "finished basket". Organizing three tasks at a time on a table on Brian's left helped him understand how much work he had to do before he could leave the table to go play.

Brian often expressed pleasure with himself by smiling at the examiner and frequently saying "good job". Verbal praise from the examiner was also motivating to Brian.

Language:

Brian used language and gestures to communicate. At the start of testing, Brian's language consisted mostly of delayed and immediate echolalia. At times, his language was difficult to understand. He often commented during testing, but seldom directing his comments to the examiner. Brian asked questions such as, "can I blow"?, "can I do bell again"?, and "is this a birthday cake"? However, Brian had much more difficulty answering questions.

RESULTS AND SUMMARY OF THE PEP-R:

The Psychoeducational Profile-Revised (PEP-R) is a developmental test designed specifically for autistic and communication handicapped children. The child's performance is scored in several different function areas, and totalled to provide an overall developmental age score. Brian's overall score was 101, which resulted in an age equivalent of approximately 3 years 9 months.

On the PEP-R, Brian scored as follows:

Function Area	Age Level
Imitation	4 yrs. 6 mos.
Perception	4 yrs. 1 mo.
Fine Motor	3 yrs. 3 mos.
Gross Motor	3 yrs. 1 mo.
Eye Hand Integration	4 yrs. 7 mos.
Cognitive Performance	3 yrs. 3 mos.
Cognitive Verbal	3 yrs. 9 mos.
Developmental Score	3 yrs. 9 mos

When assessed with the PEP-R, Brian's test scores indicated relative weaknesses in the motor area and relative strengths in eye-hand integration.

Brian was able to receptively and expressively identify pictures in a language book, demonstrate the function of objects, sort cards, identify numbers, and sort objects.
He had several emerging abilities, including identifying objects by touch, drawing a person, and copying a diamond.

DIAGNOSIS:

Autism - mild range

INTERPRETIVE CONFERENCE SUMMARY:

Attending Brian's interpretive conference were his mother, Roberta Hill, his preschool teacher, Sheila Shelton, and TEACCH staff, Allison Butwinski and Dr. Roger Cox. Results of the test administered were shared indicating Brian has many of the characteristics of mild autism. It is felt that Brian would benefit from a classroom with a small teacher to student ratio, individualized instruction, and autistic interventions.

RECOMMENDATIONS:

1. Brian would benefit from placement in a classroom with a small teacher to student ratio. The classroom environment should be free of distractions. A specific work area should be set up for Brian with a desk and boundaries to minimize distractions.

2. The classroom teacher should be experienced in autism, and have knowledge of structured teaching techniques. A three day training is being offered November 28-30 at the Gateway Education Center in Greensboro. The purpose of this training is to teach strategies that are typically successful in working with and teaching new skills to children with autism.

3. Brian should receive one-on-one teaching sessions 2-3 times a day to develop new skills. A teacher should sit across from Brian and present materials using the routine of working from left to right. Brian will place completed work to his right in a "finished basket" This will help him understand that what he has to do is in a basket to his left, how much work he has to do by the number of baskets with work in them, and he is finished when all the baskets are gone. He should be allowed breaks away from the table between tasks. It is important that Brian understand the contingency of working first and then receiving a break.

4. Brian's IEP should reflect the acknowledgement that he is a child diagnosed with autism. Specific strategies and teaching methods recommended by TEACCH should be addressed.

5. Brian's teacher for next year should be identified as early as possible in order that a request to attend TEACCH summer training for next year can be submitted.

Marquita Fair

Marquita Fair, Child Therapist

Allison Butwinski

Allison Butwinski, Parent Consultant

Roger D. Cox, Ph.D.

Roger D. Cox, Ph.D.
Licensed Practicing Psychologist

EXHIBIT 12

attached to: "MOTION FOR SET ASIDE OR RELIEVE DEFENDANT OF JUDGMENT OF CONVICTION OF CRIMINAL CHARGE PURSUANT TO VIRGINIA CODE § 8.01-428(D), VIRGINIA CODE § 8.01-428(A) AND VIRGINIA CODE § 8.01-428(B) ON THE BASIS OF FRAUD UPON THE COURT, CLERICAL FACTUAL ERRORS"

by Brian David Hill

Case no. CR19000009-00, Circuit Court, City of Martinsville, Virginia

Ally of Q, Former news reporter of USWGO Alternative News
JUSTICEFORUSWGO.WORDPRESS.COM







URGENT LETTER TO MARTINSVILLE POLICE DEPARTMENT AND CITY OF MARTINSVILLE – FOIA REQUEST

FRIDAY, JANUARY 20, 2022

City of Martinsville **ATTN: FOIA Officer or FOIA Authorized official** P.O. Box 1112 55 West Church St. Martinsville, VA 24112 Phone: 276-403-5000 Fax: 276-403-5280	Martinsville Police Department **ATTN: FOIA Officer or FOIA Authorized official** P.O. Box 1112 55 West Church St. Martinsville, VA 24112 Phone: 276-403-5300 Fax: 276-403-5306

To Whom it may concern,

Pursuant to the Virginia Freedom of Information Act, I would like to submit a FOIA Request on three different questions I have which can locate records of my request. This is very important and my request is marked Urgent because I need this information as soon as possible. Thank You.

Question #1 (Public policy record question):

What is the length of the evidence retention period of police body-camera footage stored after an incident before it can destroyed? Is it a year? Is it two years? What is the policy of Martinsville Police Department's retention period of retaining body-camera evidence before it is destroyed? (referring to potential evidence not subject to a litigation)

The records I am seeking on this particular question is the policy papers of the Department, and the question may be answered additionally to requesting those records. Policy is usually same as a law or regulation.

Question #2 (Public policy record question):

If the police body-camera footage is subject to litigation (criminal or civil) or was in pending litigation and a Court had ordered the body-camera

footage to either be retained or to be turned over to a defendant as Brady material, does the body-camera footage still fall under the normal retention then destruction period for preserving body-camera footage before the body-camera footage is destroyed or does litigation involving the Police Department prohibit the Police Department from destroying the body-camera footage during pending litigation?

The records I am seeking on this particular question is the policy papers of the Department, and the question may be answered additionally to requesting those records. Policy is same as law, subject to public review.

Question #3:

When did the Martinsville Police Department destroy the body-camera footage recorded on September 21, 2018 of the subject/suspect Brian David Hill? When in 2018 or 2019 was the body-camera footage destroyed regarding Brian David Hill? Any records of when it was destroyed?

It was recorded by Officer Robert Jones at the time. I know it was recording because I saw the device on his uniform light up red. So I know that was a body-camera device and I know it had recorded on that day.

My source told me that the body-camera footage was destroyed. I was told this in August, 2019 or September, 2019, claiming that it was the body-camera evidence retention period as to why it was destroyed. I was told that the body-camera footage was destroyed. My source told me this.

If you do have the body-camera footage, may I have a copy of it to have experts look at it including the Innocence Project of Virginia?

The third question is asking for records concerning myself. **The litigation of the case is closed** and **the direct appeal had closed.** So I am filing this FOIA request because any post-conviction motions I file, the judge says he does not have jurisdiction, so there is no pending litigation. I have no attorney. That is why I am filing this FOIA request. The Court will not accept any motion I file because the case is closed under Rule 1:1.

I am on a limited income, my only source of income is my Supplemental Security Income (SSI) disability from the Social Security Administration. I am on limited income. So please let me know how much the cost is going to be. **I really need this information. It is very important to me. I have questions that I have a right to have answers to.**

I am Brian David Hill. My SS# is [redacted]0319. DOB is : May 26, 1990.

I am requesting through FOIA, the records concerning myself. The first two questions are just asking about public policy documentation and/or questions about public policy situations, which is usually subject to public review and public scrutiny. So the first two questions should be easy to obtain documents of public police department policy. The third question is answers I need because my source told me that the body-camera footage had been destroyed and was told this around August, 2019 or September, 2019. I needed the body-camera footage because it would have proven that I may have been intoxicated around the time of my arrest and the officer spoke with me when I was possibly intoxicated and/or dehydrated (due to carbon monoxide or anything). My behavior at the time, the way I was acting while being asked questions by Officer Robert Jones. I need the body-camera footage or I need to know when it was destroyed. This would prove something that needs to be proven. I need this information. There is no open criminal case, and any motions I file are denied because of the case being closed under Rule 1:1. So there is no open case. I have to ask through FOIA.

Please I need answers. I need them so that things can be resolved.

Thank You, Where We Go One, We Go All. I appreciate your time and attention to this matter. I am with Q, I am an ally of Qanon because I need answers. I need answers, I need to get to the truth. Jesus Christ said: The Truth shall make me free. I need to know the truth so I can be free.

I do have evidence in the billing record from the Sovah Hospital that I was dehydrated after I was detained by Martinsville Police. The lab work had been deleted from the chart so I may have been intoxicated since the

hospital destroyed evidence I may have been intoxicated at the time of my arrest. There was a cover up, so I need to know the truth so I can have my conviction overturned by the Governor of Virginia.



God bless you,
Brian D. Hill
Ally of Q, Former news reporter of U.S.W.G.O. Alternative News
310 Forest Street, Apartment 2
Martinsville, Virginia 24112
(276) 790-3505
JusticeForUSWGO.NL or JusticeForUSWGO.wordpress.com

Venta Fax & Voice (http://www.ventafax.com)
Transmission ticket for Fax ID: 276-790-3505

Date: 1/20/2023 Time: 2:04:44 PM
Number of pages: 4 Session duration: 3:56
Attn.: FOIA Officer To: City of Martinsville
Recipient's number: T1-276--403-5280 Message type: Fax
Filename: C:\ProgramData\Venta\VentaFax & Voice 6\Out\January 20, 2023(2) {202 Error Correction: Yes
File description: Letter to City of Martinsville and Police on FOIA - January 20, Resolution: 200*200 dpi
Recipient's Fax ID: Record number: 8513
Rate: 14400 bps

URGENT LETTER TO MARTINSVILLE POLICE DEPARTMENT AND CITY OF MARTINSVILLE – FOIA REQUEST

FRIDAY, JANUARY 20, 2022

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Question #2 (Public policy record question):

If the police body-camera footage is subject to litigation (criminal or civil) or was in pending litigation and a Court had ordered the body-camera

Venta Fax & Voice (http://www.ventafax.com)
Transmission ticket for Fax ID: 276-790-3505

Date: 1/20/2023 Time: 1:12:42 PM
Number of pages: 4 Session duration: 3:16
Attn.: FOIA Officer To: Martinsville Police Department
Recipient's number: T1-276-403-5306 Message type: Fax
Filename: C:\ProgramData\Venta\VentaFax & Voice 6\Out\January 20, 2023(2) {202 Error Correction: No
File description: Letter to City of Martinsville and Police on FOIA - January 20, Resolution: 200*200 dpi
Recipient's Fax ID: ATA Connector Record number: 8511
Rate: 14400 bps

URGENT LETTER TO MARTINSVILLE POLICE DEPARTMENT AND CITY OF MARTINSVILLE – FOIA REQUEST

FRIDAY, JANUARY 20, 2022

City of Martinsville **ATTN: FOIA Officer or FOIA Authorized official** P.O. Box 1112 55 West Church St. Martinsville, VA 24112 Phone: 276-403-5000 Fax: 276-403-5280	Martinsville Police Department **ATTN: FOIA Officer or FOIA Authorized official** P.O. Box 1112 55 West Church St. Martinsville, VA 24112 Phone: 276-403-5300 Fax: 276-403-5306

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If the police body-camera footage is subject to litigation (criminal or civil) or was in pending litigation and a Court had ordered the body-camera

Venta Fax & Voice (http://www.ventafax.com)
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Date: 1/20/2023 Time: 1:15:58 PM
Number of pages: 4 Session duration: 4:08
Attn.: FOIA Officer To: City of Martinsville
Recipient's number: T1-276--403-5280 Message type: Fax
Filename: C:\ProgramData\Venta\VentaFax & Voice 6\Out\January 20, 2023(2) {202 Error Correction: Yes
File description: Letter to City of Martinsville and Police on FOIA - January 20, Resolution: 200*200 dpi
Recipient's Fax ID: Record number: 8512
Rate: 14400 bps

URGENT LETTER TO MARTINSVILLE POLICE DEPARTMENT AND CITY OF MARTINSVILLE – FOIA REQUEST

FRIDAY, JANUARY 20, 2022

City of Martinsville **ATTN: FOIA Officer or FOIA Authorized official** P.O. Box 1112 55 West Church St. Martinsville, VA 24112 Phone: 276-403-5000 Fax: 276-403-5280	Martinsville Police Department **ATTN: FOIA Officer or FOIA Authorized official** P.O. Box 1112 55 West Church St. Martinsville, VA 24112 Phone: 276-403-5300 Fax: 276-403-5306

To Whom it may concern,

Pursuant to the Virginia Freedom of Information Act, I would like to submit a FOIA Request on three different questions I have which can locate records of my request. This is very important and my request is marked Urgent because I need this information as soon as possible. Thank You.

Question #1 (Public policy record question):

What is the length of the evidence retention period of police body-camera footage stored after an incident before it can destroyed? Is it a year? Is it two years? What is the policy of Martinsville Police Department's retention period of retaining body-camera evidence before it is destroyed? (referring to potential evidence not subject to a litigation)

The records I am seeking on this particular question is the policy papers of the Department, and the question may be answered additionally to requesting those records. Policy is usually same as a law or regulation.

Question #2 (Public policy record question):

If the police body-camera footage is subject to litigation (criminal or civil) or was in pending litigation and a Court had ordered the body-camera

EXHIBIT 13

attached to: "MOTION FOR SET ASIDE OR RELIEVE DEFENDANT OF JUDGMENT OF CONVICTION OF CRIMINAL CHARGE PURSUANT TO VIRGINIA CODE § 8.01-428(D), VIRGINIA CODE § 8.01-428(A) AND VIRGINIA CODE § 8.01-428(B) ON THE BASIS OF FRAUD UPON THE COURT, CLERICAL FACTUAL ERRORS"

by Brian David Hill

Case no. CR19000009-00, Circuit Court, City of Martinsville, Virginia

Ally of Q, Former news reporter of USWGO Alternative News
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1199 SPRUCE ST
MARTINSVILLE, VA 24112-9998
518652-0362
(800)275-8777
07/19/2019 09:12 AM

Product	Qty	Unit Price	Price
Pri 1-Day (Domestic) (MARTINSVILLE, VA 24112) (Weight:0 Lb 13.30 Oz) (Expected Delivery Day) (Saturday 07/20/2019)	1	$7.35	$7.35
Return Receipt (USPS Return Receipt #) (9590940235277275749741)			$2.80
Cert Mail RstrDel (Recipient name) (G E CASSADY) (USPS Certified Mail #) (70172680000057509122)			$8.80
Total:			$18.95
Cash			$20.00
Change			($1.05)

Includes up to $50 insurance

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Certified Mail Fee	$2.80
Return Receipt (electronic)	$0.00
Certified Mail Restricted Delivery	$0.00
Adult Signature Required	$0.00
Postage	$7.35
Total Postage and Fees	$18.95

0362 13
JUL 19 2019
07/19/2019
MARTINSVILLE VA

7017 2680 0000 5750 9122

ATTN: Chief G. E. Cassady
Martinsville Police Department
55 West Church St.
Martinsville, VA 24112

Very Important Evidence.
Please sign for it Chief G. E. Cassady.

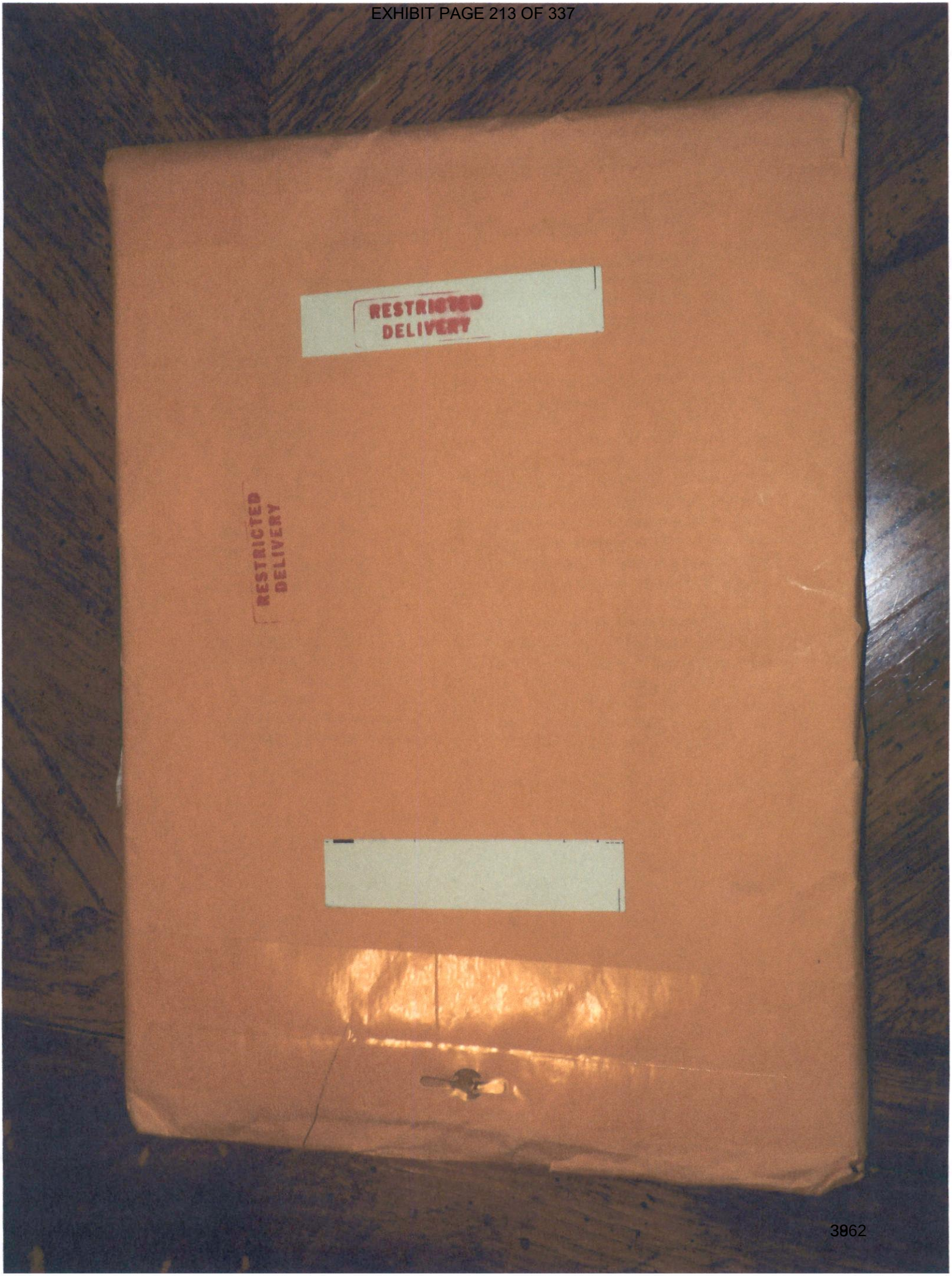
I am sorry that it is restricted delivery but I wanted to make sure that the evidence was picked up by somebody in your Department.

Medical records/reports, statement from expert witness Pete Compton a chimney expert. Evidence of threatening greeting card that was received by a citizen of Martinsville.

A lot of important evidence that needs to be picked up and reviewed by the Police Chief and given to Officer R. D. Jones. Please sign for it. Thank you for your time and attention to this matter. Thank you for your service. God Bless. USPS rather it be picked up than redelivered. - Brian

For Fax: 276.403.5306


U.S.W.G.O.
Brian D. Hill
Signed
Brian D. Hill
310 Forest Street, Apt. 1
Martinsville, VA 24112
7017 2680 0000 5750 9122
$18.95
RESTRICTED DELIVERY
RESTRICTED DELIVERY
Turned over to CA 8/7/2019 1455 hrs. N.L
7-22-19
won't be back
til
8-1-19
PRIORITY MAIL
TRACKED INSURED
UNITED STATES POSTAL SERVICE
For Domestic and International Use
ATTN: Police Chief G. E. Cassady
Martinsville Police Department
55 West Church St.
Martinsville, VA 24112


RESTRICTED
DELIVERY
RESTRICTED
DELIVERY

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515652-0362
(800)275-8777
07/19/2019 09:12 AM

Product	Qty	Unit Price	Price
PM 1-Day (Domestic) (MARTINSVILLE, VA 24112) (Weight:0 Lb 13.30 Oz) (Expected Delivery Day) (Saturday 07/20/2019)	1	$7.35	$7.35
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Total:			$18.95

Cash	$20.00
Change	($1.05)

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Extra Services & Fees (check box, add fee as appropriate)	$0.00
☐ Return Receipt (hardcopy)	$8.80
☐ Return Receipt (electronic)	$0.00
☐ Certified Mail Restricted Delivery	$0.00
☐ Adult Signature Required	
☐ Adult Signature Restricted Delivery	
Postage	$7.35
Total Postage and Fees	$18.95

0362 13
USPS Postmark Here
JUL 19 2019
07/19/2019
MARTINSVILLE VA 24112

Sent To
Street and Apt.
City, State, ZIP

ATTN: Chief G. E. Cassady
Martinsville Police Department
55 West Church St.
Martinsville, VA 24112

PS Form 3800

SENDER: COMPLETE THIS SECTION
- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:
ATTN: Chief G. E. Cassady
Martinsville Police Department
55 West Church St.
Martinsville, VA 24112

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X G.E. Cassady ☐ Agent ☐ Addressee

B. Received by (Printed Name) G E CASSADY C. Date of Delivery 8/7/2019

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
☐ Adult Signature
☐ Adult Signature Restricted Delivery
☐ Certified Mail®
☐ Certified Mail Restricted Delivery
☐ Collect on Delivery
☐ Collect on Delivery Restricted Delivery
☐ Insured Mail
☐ Insured Mail Restricted Delivery (over $500)
☐ Priority Mail Express®
☐ Registered Mail™
☐ Registered Mail Restricted Delivery
☐ Return Receipt for Merchandise
☐ Signature Confirmation™
☐ Signature Confirmation Restricted Delivery

Domestic Return Receipt

9590 9402 3527 7275 7497 41

2. Article Number (Transfer from service label)
7017 2680 0000 5750 9122

PS Form 3811, July 2015 PSN 7530-02-000-9053

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1123 SPRUCE ST
MARTINSVILLE, VA 24112-9998
515652-0362
(800)275-8777
07/19/2019 09:12 AM

Product	Qty	Unit Price	Price
PM 1-Day (Domestic) (MARTINSVILLE, VA 24112) (Weight:0 Lb 13.30 Oz) (Expected Delivery Day) (Saturday 07/20/2019)	1	$7.35	$7.35
Return Receipt (USPS Return Receipt #) (9590940235277275749741)			$2.80
Cert Mail RstrDel (Recipient name) (G E CASSADY) (USPS Certified Mail #) (70172680000057509122)			$8.80
Total:			$18.95
Cash			$20.00
Change			($1.05)

Includes up to $50 insurance

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Extra Services & Fees (check box, add fee as appropriate)	
☐ Return Receipt (hardcopy)	$3.50
☐ Return Receipt (electronic)	$2.80
☐ Certified Mail Restricted Delivery	$0.00
☐ Adult Signature Required	$0.00
☐ Adult Signature Restricted Delivery	$
Postage	$7.35
Total Postage and Fees	$18.95
Sent To	ATTN: Chief G. E. Cassady Martinsville Police Department
Street and Apt.	55 West Church St.
City, State, ZIP	Martinsville, VA 24112

0362
13
USPS
Postmark Here
JUL 19 2019
07/19/2019
MARTINSVILLE VA 24112

PS Form 3800

USPS TRACKING #
9590 9402 3527 7275 7497 41

United States Postal Service

First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

• Sender: Please print your name, address, and ZIP+4® in this box •

U.S.W.G.O.
Brian D. Hill
310 Forest Street, Apt. 1
Martinsville, VA 24112

Brian D. Hill
Signed

EXHIBIT 14

attached to: "MOTION FOR SET ASIDE OR RELIEVE DEFENDANT OF JUDGMENT OF CONVICTION OF CRIMINAL CHARGE PURSUANT TO VIRGINIA CODE § 8.01-428(D), VIRGINIA CODE § 8.01-428(A) AND VIRGINIA CODE § 8.01-428(B) ON THE BASIS OF FRAUD UPON THE COURT, CLERICAL FACTUAL ERRORS"

by Brian David Hill

Case no. CR19000009-00, Circuit Court, City of Martinsville, Virginia

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- Rule 3.1
- Rule 3.2
- Rule 3.3
- Rule 3.4
- Rule 3.5

- Rule 3.6
- Rule 3.7
- Rule 3.8
- Rule 3.9

Additional Responsibilities Of A Prosecutor

A lawyer engaged in a prosecutorial function shall:

(a) not file or maintain a charge that the prosecutor knows is not supported by probable cause;

(b) not knowingly take advantage of an unrepresented defendant;

(c) not instruct or encourage a person to withhold information from the defense after a party has been charged with an offense;

(d) make timely disclosure to counsel for the defendant, or to the defendant if he has no counsel, of the existence of evidence which the prosecutor knows tends to negate the guilt of the accused, mitigate the degree of the offense, or reduce the punishment, except when disclosure is precluded or modified by order of a court; and

(e) not direct or encourage investigators, law enforcement personnel, employees or other persons assisting or associated with the prosecutor in a criminal case to make an extrajudicial statement that the prosecutor would be prohibited from making under Rule 3.6.

Comment

[1] A prosecutor has the responsibility of a minister of justice and not simply that of an advocate. This responsibility carries with it specific obligations to see that the defendant is accorded procedural justice and that guilt is decided upon the basis of sufficient evidence.

[1a] Paragraph (a) prohibits a prosecutor from initiating or maintaining a charge once he knows that the charge is not supported by even probable cause. The prohibition recognizes that charges are often filed before a criminal investigation is complete.

[1b] Paragraph (b) is intended to protect the unrepresented defendant from the overzealous prosecutor who uses tactics that are intended to coerce or induce the defendant into taking action that is against the defendant's best interests, based on an objective analysis. For example, it would constitute a violation of the provision if a prosecutor, in order to obtain a plea of guilty to a charge or charges, falsely represented to an unrepresented defendant that the court's usual disposition of such charges is less harsh than is actually the case, e.g., that the court usually sentences a first-time offender for the simple possession of marijuana under the deferred prosecution provisions of *Code of Virginia* Section 18.2-251 when, in fact, the court has a standard policy of not utilizing such an option.

[2] At the same time, the prohibition does not apply to the knowing and voluntary waiver by an accused of constitutional rights such as the right to counsel and silence which are governed by controlling case law. Nor does (b) apply to an accused appearing *pro se* with the ultimate approval of the tribunal. Where an accused does appear *pro se* before a tribunal, paragraph (b) does not prohibit discussions between the prosecutor and the defendant regarding the nature of the charges and the prosecutor's intended actions with regard to those charges. It is permissible, therefore, for a prosecutor to state that he intends to reduce a charge in exchange

for a guilty plea from a defendant if nothing in the manner of the offer suggests coercion and the tribunal ultimately finds that the defendant's waiver of his right to counsel and his guilty plea are knowingly made and voluntary.

[3] The qualifying language in paragraph (c), i.e., ". . . after a party has been charged with an offense," is intended to exempt the rule from application during the investigative phase (including grand jury) when a witness may be requested to maintain secrecy in order to protect the integrity of the investigation and support concerns for safety. The term "encourage" in paragraph (c) is intended to prevent a prosecutor from doing indirectly what cannot be done directly. The exception in paragraph (d) also recognizes that a prosecutor may seek a protective order from the tribunal if disclosure of information to the defense could result in substantial harm to an individual or to the public interest.

[4] Paragraphs (d) and (e) address knowing violations of the respective provisions so as to allow for better understanding and easier enforcement by excluding situations (paragraph (d)), for example, where the lawyer/prosecutor does not know the theory of the defense so as to be able to assess the exculpatory nature of evidence or situations (paragraph (e)) where the lawyer/prosecutor does not have knowledge or control over the *ultra vires* actions of law enforcement personnel who may be only minimally involved in a case.

Virginia Code Comparison

With respect to paragraphs (a), DR 8-102(A)(1) provided that a "public prosecutor or other government lawyer shall . . . refrain from prosecuting a charge that [he] . . . knows is not supported by probable cause."

Paragraph (b) is derived from DR 8-102(A)(2) which prohibited prosecutors from inducing an unrepresented defendant to "surrender important procedural rights."

The counterpart to paragraph (c) is DR 8-102(A)(3) which proscribed "discouraging" a person from giving relevant information to the defendants.

Paragraph (d) is similar to DR 8-102(A)(4), but requires actual knowledge on the part of prosecuting lawyers that they are in possession of exculpatory evidence as opposed to simply being in knowing possession of evidence that may be determined to be of such a nature, although acknowledging that such disclosure may be affected by court orders.

Paragraph (e) has no direct counterpart in *Virginia Code*, but it generally parallels DR 7-106 (B), now Rule 3.6(b), which directed that a lawyer "exercise reasonable care to prevent his employees and associates from making a [prohibited] extrajudicial statement."

Paragraph DR 8-102(A)(5), which prohibited the subpoena of an attorney as a witness in a criminal prosecution regarding a present or past client without prior judicial approval, has been deleted in light of prevailing case law.

Committee Commentary

The Committee retitled this Rule "Additional Responsibilities of a Prosecutor," rather than "Special Responsibilities of a Prosecutor," as in the *ABA Model Rule*, to make it clear that the Rule's provisions are in addition to the obligations of the attorney acting in a prosecutorial role as set forth in the remaining Rules. The Committee also thought it appropriate to address the proscriptions of the Rule to any "lawyer engaged in a prosecutorial function" as opposed to just a "prosecutor in a criminal case" so as to eliminate any confusion on the part of any lawyer (such as a County Attorney or assistant Attorney General) who may be acting in the role of a prosecutor without being a member of a Commonwealth's Attorney's office.

The Committee believed that paragraph (a) in which actual knowledge is required is more understandable and more susceptible to ready enforcement where any more subjective standard (such as "or it is obvious") is too vague. At the same time, the Committee wanted to strengthen the proscription set forth in the *Virginia Code* ("shall refrain") so as to make clear that the prosecutor should not even file a charge if it is not supported by "probable cause" and should certainly not pursue a charge to trial, even if initially supported by the minimum standard of "probable cause," if it cannot reasonably expected to survive a motion to strike the evidence or motion for judgment of acquittal. The original *ABA Model Rule* language only proscribed "prosecuting a charge that... is not supported by probable cause."

The Committee did not include the language of *ABA Model Rule* 3.8(b) in which the prosecutor is required to "make reasonable efforts to assure that the accused has been advised of the right to, and the procedure for obtaining, counsel and has been given reasonable opportunity to obtain counsel" because the Committee did not believe that such an obligation should formally be placed on the lawyer-prosecutor.

The Committee concluded that the language of proposed paragraph (b) more accurately focuses on the type of prosecutorial conduct that is prohibited, rather than the provision of the existing DR and *ABA Model Rule* 3.8(c) which address the waiver of important procedural rights which, in fact, can be knowingly waived as the Comment attempts to explain. In addition, the Committee felt that the example of the waiver of such a procedural right as that of a preliminary hearing as set forth in the existing DR and *ABA Model Rule* is misleading at best, since it is exceedingly rare that a defendant charged with a felony would insist on proceeding *pro se* and then agree to waive the hearing.

The Committee felt that it was appropriate to strengthen the provisions of DR 8-102(A)(3) to provide that the lawyer acting in a prosecutorial function shall not "instruct or encourage a person to withhold information from the defense" as opposed to the more subjective and less enforceable "shall not discourage." In addition, in recognition of the reality of the investigative stage of a matter in which a witness may be asked to "keep quiet" in order to protect the witness and the integrity of the investigation, the Committee felt it appropriate to restrict application of the prohibition to that point in the process after formal charge when the "person" becomes a "party."

The Committee felt a change from existing DR 8-102(A)(4) concerning the disclosure of exculpatory evidence to the defense was appropriate by clarifying that it would apply only to that evidence which the prosecutor knows is exculpatory as opposed to a more subjective analysis of evidence which may be in the knowing possession of the prosecutor but which he does not have reason to believe would be exculpatory.

The Committee felt that the language of the *ABA Model Rule* which speaks in terms of "exercising reasonable care" to prevent others involved in a prosecution from making prohibited extrajudicial statements placed an unreasonable affirmative duty on the attorney acting in a prosecutorial role whereby the attorney would be held responsible for attempting to control the conduct of others.

Finally, the Committee decided to recommend deletion of DR 8-102(5) prohibiting the subpoena of an attorney as a witness in a criminal matter involving a present or former client without prior judicial approval because of prevailing case law and judicial fiat (the United States District Court for the Eastern District of Virginia) which does not require same.

Updated: October 30, 2009

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EXHIBIT 15

attached to: "MOTION FOR SET ASIDE OR RELIEVE DEFENDANT OF JUDGMENT OF CONVICTION OF CRIMINAL CHARGE PURSUANT TO VIRGINIA CODE § 8.01-428(D), VIRGINIA CODE § 8.01-428(A) AND VIRGINIA CODE § 8.01-428(B) ON THE BASIS OF FRAUD UPON THE COURT, CLERICAL FACTUAL ERRORS"

by Brian David Hill

Case no. CR19000009-00, Circuit Court, City of Martinsville, Virginia

Ally of Q, Former news reporter of USWGO Alternative News
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EXHIBIT 2
for

EVIDENCE FOR
MOTION FOR JUDGMENT OF ACQUITTAL BASED UPON NEW EVIDENCE WHICH COULD NOT BE ADMISSIBLE AT THE TIME OF CONVICTION; NEW EVIDENCE OF SPOLIATION OF EVIDENCE COMMITTED BY COMMONWEALTH OF VIRGINIA; REQUEST FOR SANCTIONS AGAINST COUNSEL GLEN ANDREW HALL, ESQUIRE (OFFICER OF THE COURT) FOR VIOLATING COURT ORDERS FOR NOT TURNING OVER BODY-CAMERA FOOTAGE AND IT IS LIKELY DESTROYED AND BIOLOGICAL EVIDENCE OF BLOOD VIALS OBTAINED ON DAY OF CHARGE

Commonwealth of Virginia, City of Martinsville v. Brian David Hill
CASE NO: CR19000009-00

Thursday, January 20, 2022



JUSTICEFORUSWGO.WORDPRESS.COM

VIRGINIA:
IN THE CIRCUIT COURT OF THE CITY OF MARTINSVILLE

COMMONWEALTH OF VIRGINIA, Plaintiff, v. BRIAN DAVID HILL Defendant,	Criminal Action No. CR19000009-00 Motion for Discovery

Motion for Discovery

Pursuant to Rule 4:1 of the Virginia Rules of the Supreme Court and U.S. Supreme Court decision of Brady v. Maryland, 373 U.S. 83 S. Ct. 1194; 10 L. Ed. 2d 215; 1963, criminal Defendant Brian David Hill ("Brian", "Hill") would like to request that the Commonwealth Attorney ("CA") be compelled to provide discovery materials to Defense counsel which are both material and relevant to the case. That is for the jury trial for the charge of "indecent exposure" as defined in Virginia Code § 18.2-387. The jury trial is scheduled for August 30, 2019, unless the court considers changing the date for any reason including but not limited to expert witnesses and a mental evaluation to determine sanity at the time of the offense.

Hill and/or his family have attempted to contact Martinsville Police Department ("CC: Commonwealth Attorney") through written multiple correspondences asking for the body camera footage of Officer Sgt. R. D. Jones, by Hill writing the Martinsville Chief of Police G. E. Cassady asking for the body-camera footage to be turned over to

Brian's defense counsel (*Note: Attorney Scott Albrecht, at the time*) as pertinent to Virginia discovery requirements.

Evidence of attempting to request the police-body-camera footage of September 21, 2018, are made in the following Exhibits:

Exhibit 1) 2-Page U.S.W.G.O. Mailing Log from Brian David Hill of important legal mailings which was mailed while Hill was being mentally evaluated at the Federal Correctional Institution 1 in Butner, North Carolina. The #4 entry was the mailing to the Chief of Police asking for the body-camera footage. Mailing was delivered to the prison Mail Room on January 30, 2019, treated as legal mail and was not fettered with in accordance with Federal Bureau of Prisons policies. **Total of 2-pages.**

Exhibit 2) Photocopy of 1-Page letter from Brian David Hill to the Martinsville Police Chief dated January 19, 2019 while Hill was being mentally evaluated at the Federal Correctional Institution 1 in Butner, North Carolina. Also the second page of this Exhibit is a 1-page photocopy of the mailing envelope with mailing label before it was delivered to the prison Mail Room, treated as legal mail and was not fettered with in accordance with Federal Bureau of Prisons policies. **Total of 2-pages.**

Exhibit 3) 1-Page of U.S.W.G.O. Mailing Log from Brian David Hill of important legal mailings which was mailed while Hill was being mentally evaluated at the Federal Correctional Institution 1 in Butner, North Carolina. The #8 entry was the mailing to the Chief of Police asking for the body-camera footage. Mailing was delivered to the prison Mail Room on January 22, 2019 with

the original letter before the photocopy of that same discovery letter was mailed at a later time (See Exhibit 1). The prison treated the mailing as legal mail and was not fettered with in accordance with Federal Bureau of Prisons policies. **Total of 1-page.**

Exhibit 4) 3-Page letter to the Martinsville Chief of Police, was typed up and mailed to them by Brian David Hill's grandparents. Noted: January 19, 2019 (Typed letter March 13, 2019), "Dear Chief of Police of Martinsville Police Dept: G. Edward Cassady", "CC: Commonwealth Attorney, Case no C18-3138,". Note: The Defendant will be looking for the return receipt to see if it can be located in the pile of papers in the multiple boxes full of legal papers, so that the court will have proof of receipt if necessary. **Total of 3-pages.**

Exhibit 5) A 2-page news article titled "Body Cameras Proving Useful for Martinsville Police | WSET". It proves that since 2013, Martinsville Police Department records body-camera footage of incidents. That may include recording of Brian David Hill on September 21, 2018, and any statements that he had made in regards to a "man wearing a hoodie" and may be useful in proving that Brian David Hill was not acting right at the time which would help prove that he was under carbon monoxide poisoning. **Total of 2-pages.**

Total evidence of 10 pages of five (5) Exhibits, 5 additional pages for the Exhibit page markers. 15 pages attached to this letter.

ANALYSIS:

From the Virginia Supreme Court rules document:

"*The parties have a duty to seasonably supplement and amend discovery responses*

pursuant to Rule 4:1(e) of the Rules of Supreme Court of Virginia. Seasonably means as soon as practical. No provision of this Order supersedes the Rules of Supreme Court of Virginia governing discovery. Any discovery motion filed shall contain a certification that counsel has made a good faith effort to resolve the matters set forth in the motion with opposing counsel."

Since Defendant has sent two letters with "CC: Commonwealth Attorney, Case no. C18-3138," and family sent one typed letter asking for the police body-camera footage for Hill's case, it is clear that Hill had made a good faith effort to explain to the prosecution and the Police Department that the body-camera footage of what had happened on September 21, 2018, was needed for discovery purposes for the case. The old case number for the General District Court case was referenced because Hill did not know the Circuit Court case number at the time he was sending those letters, but that case number is the very same case number of what was appealed. No responses were ever found or noted. As far as Hill is concerned, there are no responses to his discovery requests. Hill had mailed a copy of the letter (Exhibit 2) to Scott Albrecht while he was still Hill's counsel of record at the time. Attorney Scott Albrecht never informed Hill as to whether or not the body-camera footage was turned over to defense counsel. Therefore no responses are noted and no responses exist in regards to Hill's two attempts to ask for the body-camera footage and Hill's families one attempt in a typed letter asking for the body-camera footage. Three written attempts have been made asking for the body-camera footage this year, in a request to Martinsville Police Department and "CC: Commonwealth Attorney".

It is clear that Brian David Hill as Defendant is entitled to the police body-camera footage pursuant to Rule 4:1 of the Supreme Court Rules for Virginia Courts as well as Brady v. Maryland case law from the U.S. Supreme Court (law of the land) which also applies to state courts, and any other rule or statute for the discovery process.

Also Hill would like to request from the Commonwealth Attorney and from Martinsville Police Department, that Hill's defense counsel get access to any blood-work or blood samples taken from Hill while he was at Sovah Hospital on September 21, 2018, before he was arrested. This includes any laboratory results, blood vials taken at the time of Hill's arrest, blood samples taken at the time of Hill's arrest, etc etc. Blood was clearly taken from Hill while he was at the Hospital, but since he was arrested, the Hospital likely would have given the blood drawn to the Police for conducting their own laboratory tests including but not limited to possible drugs.

Last page of Exhibit 10 in the evidence Exhibits which were attached to Brian's filed pro se Motion (Seq. # 22, filed 07/19/2019, evidence attached to this filing was filed on 07/22/2019 after being given to Clerk's office) for Defense of Mental Insanity "INSANITY DEF-FILED BY DEF", shows that laboratory results were ordered but later deleted from the chart and then Hill was released to Martinsville City Jail as stated in the medical records. Because Hill was escorted there with law enforcement, the Hospital likely had given the blood vials to the Martinsville Police Department to conduct their own laboratory work. That would mean a possibility that the Police Department has the blood samples, and the blood vials are likely in evidence storage for the indecent exposure investigation. Those are also subject to discovery for defense counsel. The blood vials are needed to conduct laboratory tests to find evidence of Carbon Monoxide poisoning in the blood with a lab test of "carboxyhemoglobin" which would prove that Carbon Monoxide was in the blood of Brian David Hill during the time of the alleged offense on September 21, 2018. Hill had asked Attorney Scott Abrecht, after he had turned himself in (Seq. #15, 05/30/2019, "HILL TURNED HIMSELF IN") to find the laboratory results but Hill later learned from his family that the Commonwealth Attorney didn't have the laboratory results, but the Commonwealth

Attorney never said anything to Scott Albrecht about the blood vials and blood-work that was drawn while Hill was at the hospital. So the blood vials may still exist as evidence and may be retained by Martinsville Police Department due to Sovah Hospital's policy in regards to a patient that is escorted by law enforcement or was with law enforcement.

Therefore for the following reasons, Hill respectfully requests with this honorable Court that the Court grant this motion for Discovery and compel the Commonwealth Attorney and Martinsville Police Department (who the Commonwealth represents) to turn over the evidence of the body-camera footage (*as noted above*) to Defense counsel, and the blood-work and/or blood-vials of Brian David Hill (*at the time he was arrested*) to Defense counsel. That the Court order all discovery evidence that the Commonwealth Attorney and Martinsville Police Department has withheld be turned over to Defense counsel As Soon As Possible.

WHEREFORE, the Defendant, Brian David Hill, prays that this Court enter an Order compelling discovery materials be turned over to DefensE Counsel in regards to the issues stated herein.

Hill respectfully files this Motion with this honorable Court, this the 26th day of July, 2019.

Signed, Brian D. Hill
Signed

Brian D. Hill (Pro Se)
Phone #: 276-790-3505
310 Forest Street, Apartment 1
Martinsville, Virginia 24112

U.S.W.G.O.

Amazon: The Frame Up of Journalist Brian D. Hill
Stanley's 2255 blog: JusticeForUSWGO.wordpress.com
Qanon
Brian D. Hill asks President Donald John Trump and QANON for help.

This pleading has been filed by hand delivery to the office of the Hon. Ashby Pritchett, Clerk's office at the Martinsville Circuit Court on July 26, 2019, at the address of 55 West Church Street, Martinsville, Virginia 24112.

CERTIFICATE OF SERVICE

I hereby certify that on this 26th day of July, 2019, a true copy of the foregoing Motion/Pleading was hand delivered to the office of the Commonwealth Attorney of Martinsville, at 55 West Church Street, Martinsville, Virginia 24112, counsel for Plaintiff of the Commonwealth of Virginia.

Signed, Brian D. Hill
Signed

Brian D. Hill (Pro Se)
Phone #: 276-790-3505
310 Forest Street, Apartment 1
Martinsville, Virginia 24112

U.S.W.G.O.

Amazon: The Frame Up of Journalist Brian D. Hill
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Qanon
Brian D. Hill asks President Donald John Trump and QANON for help.

Exhibit 1

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Qanon U.S.W.G.O. Qanon

MARTINSVILLE VIRGINIA CIRCUIT COURT CASE NO. CR19000009-00
"Motion for Discovery"

UNITED STATES DISTRICT COURT CASE NO. 1:13-CR-435-1
MIDDLE DISTRICT OF NORTH CAROLINA

Mailing Log 2019 U.S.W.G.O.

Brian David Hill
#29947-057

Federal Correctional Institution 1, Butner, N.C.
Old N.C. Hwy 75 - P.O. Box 1000 - 27509

#1	4pg	Jason McMurray, Western Dist. of Virginia, U.S. Probation Office, 210 Franklin RD SW, Roanoke, VA 24011 01/25/2019
#2	4pg	Alexandria Veletsis, Exe. Office of President, 1600 Pennsylvania Ave NW, The White House, Washington DC 20005, US 01/28/2019
#3	10pg	Hon Ashby Pritchett, Clerk of the Court, P.O. Box 1206, Martinsville Circuit CRT, Martinsville, VA 24114-1206, US 01/28/2019
#4	2pg	Chief of Police, Police of Martinsville, Martinsville VA Police, 55 West Church St, Municipal Building, Martinsville, VA 24112 US 01/30/2019
#5	5pg	Alexandria Veletsis, Exe. Office of President, 1600 Pennsylvania Ave NW, The White House, Washington DC 20005, US 01/31/2019
#6	1pg	Law Office of Marcia G. Shein (Attorney), Marcia G Shein, 2392 N Decatur RD, Decatur, GA 30033 US 02/01/2019
#7	1pg	Law Offices of Alan Ellis (Attorney), Alan Ellis, 271 Madison Ave 20th Floor, New York, NY 10016 US 02/04/2019
#8	4pg	ATTN: National Security Council, The White House, Exe. Office of President, 1600 Pennsylvania Ave, NW, National Security Council, Washington, DC 20005 US 02/04/2019 Letter Feb. 3 2019.
#9	3pg	Clerk Of The Court, 210 Franklin RD SW, U.S. District Court, Roanoke, VA 24011, US 02/06/2019
#10	1pg	Office Of The Clerk, Middle Dist Northcarolina, 324 W Market St, U.S. District Court, Ste. 1, Greensboro, NC 27401-2513, US 02/07/2019
#11	5pg	ATTN: National Security Council. Same mailing address as #8 02/14/2019

#1. 2-page letter to U.S. Probation Officer Jason McMurray. Copy of 1-page letter to Chief of Police dated January 19th 2019 and Copy of 1-page letter to Chief of Police dated January 20th, 2019.
#2. 4-page letter to Alexandria Veletsis dated January 26, 2019.

#3. 3-page Testimony of Brian David Hill - Declaration and 3-page copy for Commonwealth Attorney; 2-page Notice of Additional Evidence and 2-page copy dated Jan 28 2019, for Commonwealth Attorney. Testimony dated January 27, 2019
#4. Copy of 1-page letter to Chief of Police dated January 20, 2019; and copy of 1-page letter to Chief of Police dated January 19, 2019.
#5. Photocopy of same 4-page letter to Alexandria Veletsis (#2.) dated January 26, 2019; Copy of 1-page letter personally delivered to Bernie Maidoff delivered 5:35PM January 30, 2019.
Certified mail tracking number: 7018 1130 0000 8936 6290
#6. 1-page letter to Attorney Marcia G Shein dated February 1, 2019.
#7. 1-page letter to Attorney Alan Ellis dated February 1, 2019
#8. 4-page letter to the National Security Council dated February 3 2019.
Certified Mail tracking number: Feb. 3 7018 1130 0000 8936 6320
#9. 1-page Motion to Request Transcripts, 1-page Certificate of Service, and 1-page letter to the Clerk of the Court dated February 6 2019.
#10. 1-page Docket Report request letter to Clerk of the Court dated February 7, 2019.
#11. 4-page letter to National Security Council dated February 13, 2019. 1-page photocopy of Request to Staff dated 02/13/2019 06:49:30PM. Certified Mail tracking no. 7018 1130 0000 8936 6306

Exhibit 2

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Qanon U.S.W.G.O. Qanon

MARTINSVILLE VIRGINIA CIRCUIT COURT CASE NO. CR19000009-00
"Motion for Discovery"

UNITED STATES DISTRICT COURT CASE NO. 1:13-CR-435-1
MIDDLE DISTRICT OF NORTH CAROLINA

Dear Chief of Police of Martinsville Police Dept,
CC: Commonwealth Attorney, Case no. C18-3138,
55 West Church Street,
Municipal Building,
Martinsville, VA 24112, Martinsville Circuit Court case
Discovery Request

Under Virginia Code in regards to discovery requirements for misdameanor and felony trials in the Commonwealth of Virginia, Brady v. Maryland, Giglio v. U.S, Brian David Hill hereby requests a copy of Police Body-Camera footage presumably recorded by Sgt. R.D. Jones of Martinsville Police Department between the times of 3:00AM and 4:00AM, September [redacted] 21, 2018, where I gave statements about the man wearing the hoodie who had threatened to kill my mother Roberta Hill on the late night of September 20, 2018. Please turn over that Police body camera footage recording evidence copy to my Attorney Scott Albrecht of the Martinsville Public Defender Office, As Soon As Possible. Thank You for your service.

My Respects,

Brian D. Hill
Signed

Dated January 19, 2019.

P.S. Brian Hill has Autism Spectrum Disorder in DMV handicap placard records.

Brian David Hill #29947-057
Federal Correctional Institution 1
Old NC Hwy 75; P.O. Box 1000
Butner, N.C. 27509
JusticeForUSWGO.wordpress.com
U.S.W.G.O.

Brian David Hill #29947-057

Name: Number:
Federal Correctional Institution 1
P.O. Box 1000
Butner, NC 27509



Chief of Police

⇔29947-057⇔
Police Of Martinsville
Martinsville VA Police
55 W Church ST
Municipal Building
Martinsville, VA 24112
United States

LEGAL MAIL

3885

Exhibit 3

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MARTINSVILLE VIRGINIA CIRCUIT COURT CASE NO. CR19000009-00
"Motion for Discovery"

UNITED STATES DISTRICT COURT CASE NO. 1:13-CR-435-1
MIDDLE DISTRICT OF NORTH CAROLINA

FCI 1, Butner, N.C,
Brian David Hill #29947-057

Mailing Log 2019 U.S.W.G.O.

Brian David Hill #29947-057
Federal Correctional Institution 1, Butner, N.C.

#1	1pg	↔29947-057↔ Federal Building 324 W Market ST Suite 1 Greensboro, NC 27401-2513 US ~~01/11/2019~~ Clerk of the Court ~~01-26-2019~~ 01-14-2019
#2	2pg	Hon Ashby Pritchett Clerk of the Court PO Box 1206, Martinsville Circuit CRT, Martinsville, VA 1206, US 01/14/2019
#3	2pg	Scott Albrecht Public Defender Office 31 P.O. Drawer, Martinsville, VA 24114 US - ~~01/15/2019~~ 01/18/2019
#4	2±pg	Clerk of the Court U.S. District Court, Federal Building 324 W Market St Suite 1, Greensboro, NC 27401-2513, US 01/18/2019
#5	2pg	Office of VA Attorney General 202 N 9TH ST Virginia Attorney General, Richmond VA 23219 US 01/17/2019-7018-1130-0000-8936-6214 Certified
#6	2pg	Administra Office Of Us Courts Admin. Office of US Courts 1 Columbus CIR NE Probation Oversight Branch, Washington, DC 20002 US [Urgent] 01/17/2019
#7	4pg	Clerk of the Court 210 Franklin Rd SW U.S. District Court, Roanoke VA 24011 US 01/18/2019
#8	4pg	Chief of Police Police of Martinsville 55 W Church ST Municipal Building Martinsville VA 24112 US 01/22/2019
#9	4pg	Us Federal Courthouse, Hon. Judge Joe Webster, Magistrate 323 E Chapel Hill ST Room 2, Durham NC 27701-3351, US 01/24/2019
#10	4pg	Anand P Ramaswamy, AUSA United States Attorney 101 S Edgeworth ST 4th Flor, Greensboro NC 27401 US 01/24/2019
#11	2pg	Attorney Scott Albrecht, Public Defender Office, 31 P.O. Drawer, Martinsville, VA 24114 US 01/24/2019

Exhibit 4

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Qanon U.S.W.G.O. Qanon

MARTINSVILLE VIRGINIA CIRCUIT COURT CASE NO. CR19000009-00
"Motion for Discovery"

UNITED STATES DISTRICT COURT CASE NO. 1:13-CR-435-1
MIDDLE DISTRICT OF NORTH CAROLINA

January 19, 2019 (Typed letter March 13, 2019)

Dear Chief of Police of Martinsville Police Dept: G. Edward Cassady

CC: Commonwealth Attorney, Case no C18-3138,

55 West Church Street Municipal Building Martinsville, VA 24112

Martinsville Circuit Court case Discovery Request

Under Virginia Code in regards to discovery requirements for misdemeanor and felony trials in the Commonwealth of Virginia, Brady v Maryland, Giglio v U.S., Brian Hill hereby requests a copy of Police-Camera footage presumably recorded by Sgt. R.D. Jones of Martinsville Police Department between the times of 3:00AM and 4:00AM, September 20, 2018, where I gave statements about the man wearing the hoodie, who had threatened to kill my mother Roberta Hill on the late night of September 20, 2018. Please turn over that Police body camera footage recording evidence copy to my Attorney Scott Albrecht of the Martinsville Public Defender Office, As Soon As Possible. Thank you for your service.

My Respects,

Brian D. Hill (Signed)

Dated January 19, 2019

P.S. Brian Hill has Autism Spectrum Disorder in DMV handicap placard records

Brian David Hill #29947-057 Federal Correctional Institution 1
Old NC Hwy 75; P.O. Box 1000 Butner, NC 27509
JusticeForUSWGO,wordpress.com USWGO

(Letter 1)

January 20, 2019 **(Typed letter March 13, 2019)**

Dear Chief of Police of Martinsville Police Department: G. Edward Cassady

CC: Commonwealth Attorney, Case no C18-3138,

55 West Church Street Municipal Building Martinsville, VA 24112

Martinsville Circuit Court case

There are more facts that must be known about me in this case which involve my mental/neurological disability/handicap of Autism Spectrum Disorder. The man that had threatened to kill my mother Roberta Hill if I didn't get naked and take pictures of myself is a form of verbal sexual abuse similar to a pedophile threatening a kid to get naked. I almost would have gotten sexually taken advantage of by an inmate named Crutchfield while I'm being evaluated mentally here meaning, I would have been raped if other inmates with life sentences had not taken up for me and protected me that are against rape. Research on Google that people with Autism are more likely to be verbally and physically sexually abused. The man wearing the hoodie wanted to take advantage of me. Please contact Renetta Craighead of Piedmont Community Services and REACH. They will explain to you about my condition. I never should have been arrested and should have been placed in witness protection. This case should be dismissed. I am Innocent. Thank you.

My respects,

Brian D. Hill (Signed)

Dated January 20, 2019

Caretaker: Roberta Hill:
276-790-3505, 276-224-7373
Kenneth Forinash, U.S.A.F:
276-632-2599, 276-224-4527

Brian David Hill #29947-057
Federal Correctional Institution
Old NC Hwy 75; PO Box 1000
Butner, NC 27509

Copy of note mailed with letter dated January 19, 2019

Chief of Police and Commonwealth Attorney in Martinsville, VA,

Please acknowledge receipt of letters. Please write response.

Thank you

Brian D. Hill

God bless you!

Note: In a week of no response, I will assume that it was lost and mail another copy. Thanks.

Note from Brian's grandparents. Brian wrote this on January 19, 2019 and January, 20, 2019. He received no response, He sent it again and received no response a week later. After waiting almost two months, his grandparents will have to go to the post office and send this out return receipt requested. You also should know that Brian has been on disability since the age of 19 months; has brittle diabetes requiring insulin shots, has seizures, autism, anxiety and OCD. His actions that night were not normal. He was a victim who was arrested and sent to jail by the police who are supposed to protect its citizens and disabled. Brian's mom and grandparents were at the trial and noticed the prosecuting attorney making derogatory comments and making fun of this disabled citizen of Martinsville in front of his family and many other people in the court room.

Brian, We are also sending a copy of the 3 page disabled parking placard with your disability (autism) & your name & address with this letter to Chief of Police

Exhibit 5

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Qanon U.S.W.G.O. Qanon

MARTINSVILLE VIRGINIA CIRCUIT COURT CASE NO. CR19000009-00
"Motion for Discovery"

UNITED STATES DISTRICT COURT CASE NO. 1:13-CR-435-1
MIDDLE DISTRICT OF NORTH CAROLINA

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ADVERTISEMENT

Martinsville, VA -- The Martinsville Police Department says a small device has been making a big difference in fighting crime.

About a year ago, they got 38 cameras that the officers wear. They received the cameras because of a grant from the Virginia Municipal League. And they say they have really proven themselves.

Even on a very routine call, every word spoken and every movement taken will be captured clearly.

"Having this thing with us is like having someone with us whose memory is infallible," said Sgt. Chad Rhoads with the Martinsville Police Department.

Captain Eddie Cassady calls the cameras "like another officer" watching out for his force.

"They have been very useful for us," said Cassady.

For about a year, every Martinsville Police patrolling officer has worn one of these cameras. And for such a small device, it does a lot even capturing the sound of cars driving by in the distance.

"It helps clear up any disagreements. Anytime you talk to somebody, there are two different versions of what went on," said Rhodes.

And Rhoads explains, this camera shows the real version.

"It helps us investigate cases. It also helps us identify potential witnesses in other crime scenes too," said Cassady.

In the past few months, it did something they didn't even expect. When a man

FILED IN THE CLERK'S OFFICE
OF THE CIRCUIT COURT OF THE
MARTINSVILLE CIRCUIT COURT

DATE: 07/26/2019 @10:59:43

TESTE: Jennifer C. Coplin
~~CLERK~~ DEPUTY CLERK

EXHIBIT 16

attached to: "MOTION FOR SET ASIDE OR RELIEVE DEFENDANT OF JUDGMENT OF CONVICTION OF CRIMINAL CHARGE PURSUANT TO VIRGINIA CODE § 8.01-428(D), VIRGINIA CODE § 8.01-428(A) AND VIRGINIA CODE § 8.01-428(B) ON THE BASIS OF FRAUD UPON THE COURT, CLERICAL FACTUAL ERRORS"

by Brian David Hill

Case no. CR19000009-00, Circuit Court, City of Martinsville, Virginia

Ally of Q, Former news reporter of USWGO Alternative News
JUSTICEFORUSWGO.WORDPRESS.COM







Department of Medical Assistance Services

Virginia Medicaid Claims History For
Member ID: 690024628015, Member Name: Brian Hill

Claims For 11/19/2017
And 9/21/2018

Billing Provider National Provider Identifier (NPI)	BIlling Provider Name	Servicing Provider National Provider Identifier (NPI)	Servicing Provider Name	Claim Number	Legacy Claim Number	Service From Date	Service Through Date	Paid Date	Primary Diagnosis Code	Primary Diagnosis Name	Claim Line	Pro-cedure Code	Procedure Name	NDC	Drug Brand Name	Billed Amount	Paid Amount	Claim Enc Code
1033143466	Total	Total	Total	Total	Total	Total	Total	Total	Total	Total	Total	Total	Total	Total	Total	$1,838.00	$171.86	Total
1033143466	EDNA E EKUBAN-GORDON , MD	1033143466	EDNA E EKUBAN-GORDON , MD	T1804160138747BCPEPO	20181069 23412601	11/19/2017	11/19/2017	3/23/2018	S0181XA	Laceration w/o foreign body of oth part	1	99285	EMERGENCY DEPT VISIT			$1,450.00	$122.22	Y
1033143466	EDNA E EKUBAN-GORDON , MD	1033143466	EDNA E EKUBAN-GORDON , MD	T1804160138748BCPEPO	20181069 23412701	11/19/2017	11/19/2017	3/23/2018	S0181XA	Laceration w/o foreign body of oth part	1	12013	RPR F/E/E/N/L/M 2.6-5.0 CM			$388.00	$49.64	Y
1386720183	Total	Total	Total	Total	Total	Total	Total	Total	Total	Total	Total	Total	Total	Total	Total	$9,123.62	$760.23	Total
1386720183	Danville Regional Medical LLC dba Sovah Health-Dan	1386720183	Danville Regional Medical LLC dba Sovah Health-Dan	T1808200009661BCPEIR	20182329 16719901	11/19/2017	11/19/2017	7/18/2018	E1165	Type 2 diabetes mellitus with hyperglyce	1	96361	HYDRATE IV INFUSION ADD-ON			$9,123.62	$760.23	Y
1386720183	Danville Regional Medical LLC dba Sovah Health-Dan	1386720183	Danville Regional Medical LLC dba Sovah Health-Dan	T1808200009661BCPEIR	20182329 16719901	11/19/2017	11/19/2017	7/18/2018	E1165	Type 2 diabetes mellitus with hyperglyce	2	80053	COMPREHEN METABOLIC PANEL					Y
1386720183	Danville Regional Medical LLC dba Sovah Health-Dan	1386720183	Danville Regional Medical LLC dba Sovah Health-Dan	T1808200009661BCPEIR	20182329 16719901	11/19/2017	11/19/2017	7/18/2018	E1165	Type 2 diabetes mellitus with hyperglyce	3	82962	GLUCOSE, BLOOD BY GLUCOSE MONITORIN					Y
1386720183	Danville Regional Medical LLC dba Sovah Health-Dan	1386720183	Danville Regional Medical LLC dba Sovah Health-Dan	T1808200009661BCPEIR	20182329 16719901	11/19/2017	11/19/2017	7/18/2018	E1165	Type 2 diabetes mellitus with hyperglyce	4	84443	ASSAY THYROID STIM HORMONE					Y
1386720183	Danville Regional Medical LLC dba Sovah Health-Dan	1386720183	Danville Regional Medical LLC dba Sovah Health-Dan	T1808200009661BCPEIR	20182329 16719901	11/19/2017	11/19/2017	7/18/2018	E1165	Type 2 diabetes mellitus with hyperglyce	5	85025	COMPLETE CBC W/AUTO DIFF WBC					Y
1386720183	Danville Regional Medical LLC dba Sovah Health-Dan	1386720183	Danville Regional Medical LLC dba Sovah Health-Dan	T1808200009661BCPEIR	20182329 16719901	11/19/2017	11/19/2017	7/18/2018	E1165	Type 2 diabetes mellitus with hyperglyce	6	71010	CHEST X-RAY 1 VIEW FRONTAL					Y
1386720183	Danville Regional Medical LLC dba Sovah Health-Dan	1386720183	Danville Regional Medical LLC dba Sovah Health-Dan	T1808200009661BCPEIR	20182329 16719901	11/19/2017	11/19/2017	7/18/2018	E1165	Type 2 diabetes mellitus with hyperglyce	7	70450	CT HEAD/BRAIN W/O DYE					Y
1386720183	Danville Regional Medical LLC dba Sovah Health-Dan	1386720183	Danville Regional Medical LLC dba Sovah Health-Dan	T1808200009661BCPEIR	20182329 16719901	11/19/2017	11/19/2017	7/18/2018	E1165	Type 2 diabetes mellitus with hyperglyce	8	12002	RPR S/N/AX/GEN/TRNK2.6-7.5CM					Y
1386720183	Danville Regional Medical LLC dba Sovah Health-Dan	1386720183	Danville Regional Medical LLC dba Sovah Health-Dan	T1808200009661BCPEIR	20182329 16719901	11/19/2017	11/19/2017	7/18/2018	E1165	Type 2 diabetes mellitus with hyperglyce	9	96374	THER/PROPH/DIAG INJ IV PUSH					Y
1386720183	Danville Regional Medical LLC dba Sovah Health-Dan	1386720183	Danville Regional Medical LLC dba Sovah Health-Dan	T1808200009661BCPEIR	20182329 16719901	11/19/2017	11/19/2017	7/18/2018	E1165	Type 2 diabetes mellitus with hyperglyce	10	99284	EMERGENCY DEPT VISIT					Y
1386720183	Danville Regional Medical LLC dba Sovah Health-Dan	1386720183	Danville Regional Medical LLC dba Sovah Health-Dan	T1808200009661BCPEIR	20182329 16719901	11/19/2017	11/19/2017	7/18/2018	E1165	Type 2 diabetes mellitus with hyperglyce	11	93005	ELECTROCARDIOGRAM TRACING					Y

Billing Provider National Provider Identifier (NPI)	BIlling Provider Name	Servicing Provider National Provider Identifier (NPI)	Servicing Provider Name	Claim Number	Legacy Claim Number	Service From Date	Service Through Date	Paid Date	Primary Diagnosis Code	Primary Diagnosis Name	Claim Line	Pro-cedure Code	Procedure Name	NDC	Drug Brand Name	Billed Amount	Paid Amount	Claim Enc Code
1417262056	Total	Total	Total	Total	Total	Total	Total	Total	Total	Total	Total	Total	Total	Total	Total	$50.85	$50.85	Total
1417262056	PUBLIC PARTNERSHIPS, LLC	1417262056	PUBLIC PARTNERSHIPS, LLC	T1803140066 260BCPEPO	20180739 25265501	11/19/2017	11/19/2017	3/9/2018	Z139	Encounter for screening, unspecified	1	S5150	UNSKILLED RESPITE CARE, NOT HOSPICE			$50.85	$50.85	Y
1891728564	Total	Total	Total	Total	Total	Total	Total	Total	Total	Total	Total	Total	Total	Total	Total	$173.00	$44.25	Total
1891728564	MAROON B KHOURY	1891728564	MAROON B KHOURY	T1804160243 055BCPEPO	20181069 33785201	11/19/2017	11/19/2017	3/28/2018	S0990XA	Unspecified injury of head, initial enco	1	70450	CT HEAD/BRAIN W/O DYE			$143.00	$36.48	Y
1891728564	MAROON B KHOURY	1891728564	MAROON B KHOURY	T1804160243 056BCPEPO	20181069 33785301	11/19/2017	11/19/2017	3/28/2018	R0789	Other chest pain	1	71010	CHEST X-RAY 1 VIEW FRONTAL			$30.00	$7.77	Y
1154419737	Total	Total	Total	Total	Total	Total	Total	Total	Total	Total	Total	Total	Total	Total	Total	$4,107.00	$183.27	Total
1154419737	Danville Regional Medical LLC dba Sovah Health-Dan	1154419737	Danville Regional Medical LLC dba Sovah Health-Dan	T2006260460 549BCPEIR	20201789 34474401	9/21/2018	9/21/2018	2/19/2019	S80211A	Abrasion, right knee, initial encounter	1	99285	EMERGENCY DEPT VISIT			$4,107.00	$183.27	Y
1154419737	Danville Regional Medical LLC dba Sovah Health-Dan	1154419737	Danville Regional Medical LLC dba Sovah Health-Dan	T2006260460 549BCPEIR	20201789 34474401	9/21/2018	9/21/2018	2/19/2019	S80211A	Abrasion, right knee, initial encounter	2	90714	TD VACC NO PRESV 7 YRS+ IM	49281021588	TENIVAC 5-2/0.5ML SYRINGE			Y
1154419737	Danville Regional Medical LLC dba Sovah Health-Dan	1154419737	Danville Regional Medical LLC dba Sovah Health-Dan	T2006260460 549BCPEIR	20201789 34474401	9/21/2018	9/21/2018	2/19/2019	S80211A	Abrasion, right knee, initial encounter	3	90471	IMMUNIZATION ADMIN					Y
1184674129	Total	Total	Total	Total	Total	Total	Total	Total	Total	Total	Total	Total	Total	Total	Total	$512.10	$140.10	Total
1184674129	MARTINSVILLE CITY PUBLIC SCHOOLS	1184674129	MARTINSVILLE CITY PUBLIC SCHOOLS	T1903260234 915BCPEPO	20190859 26883002	9/21/2018	9/21/2018	10/9/2018	S83104A	Unspecified dislocation of right knee, i	1	A0429	AMBULANCE SERVICE, BASIC LIFE SUPPO			$512.10	$140.10	Y
1184674129	MARTINSVILLE CITY PUBLIC SCHOOLS	1184674129	MARTINSVILLE CITY PUBLIC SCHOOLS	T1903260234 915BCPEPO	20190859 26883002	9/21/2018	9/21/2018	10/9/2018	S83104A	Unspecified dislocation of right knee, i	2	A0425	GROUND MILEAGE, PER STATUTE MILE					Y
1427005008	Total	Total	Total	Total	Total	Total	Total	Total	Total	Total	Total	Total	Total	Total	Total	$874.00	$82.90	Total
1427005008	EMERGENCY COVERAGE CORPORATION	1154673895	BRANT D HINCHMAN , DO	T1811160170 283BCPEPO	20183209 20497302	9/21/2018	9/21/2018	10/5/2018	S80211A	Abrasion, right knee, initial encounter	1	99284	EMERGENCY DEPT VISIT			$874.00	$82.90	Y
1427005008	EMERGENCY COVERAGE CORPORATION	1154673895	BRANT D HINCHMAN , DO	T1811160170 283BCPEPO	20183209 20497302	9/21/2018	9/21/2018	10/5/2018	S80211A	Abrasion, right knee, initial encounter	2	99053	MED SERV 10PM-8AM 24 HR FAC					Y
Claim Enc Code= Encounter Claim through Managed Care (Yes or No)															**GRAND TOTALS**	**$33,357.14**	**$2,866.92**	
NDC=National Drug Code																		

EXHIBIT 17

attached to: "MOTION FOR SET ASIDE OR RELIEVE DEFENDANT OF JUDGMENT OF CONVICTION OF CRIMINAL CHARGE PURSUANT TO VIRGINIA CODE § 8.01-428(D), VIRGINIA CODE § 8.01-428(A) AND VIRGINIA CODE § 8.01-428(B) ON THE BASIS OF FRAUD UPON THE COURT, CLERICAL FACTUAL ERRORS"

by Brian David Hill

Case no. CR19000009-00, Circuit Court, City of Martinsville, Virginia

Ally of Q, Former news reporter of USWGO Alternative News
JUSTICEFORUSWGO.WORDPRESS.COM







Re: Brian D. Hill asked me to send this email to you about his appealed case

From: Eric S Clark (eric@whitestonepublishing.org)

To: kenstella2007@yahoo.com; salbrecht@mar.IDC.Virginia.gov

Cc: rbhill67@yahoo.com

Date: Thursday, December 27, 2018 at 11:21 PM EST

Concerning this part:

Also please email Scott Albrecht and see if he wishes to represent me on appeal or notify the Court that he cannot represent me so a new lawyer can be appointed as soon as possible for Circuit Court

If Scott wishes to get involved, he will have to work with Eric Clark since he has the three Virginia appeal case laws that I had messaged him.

Brian already had me forward messages on Christmas day and those messages (MESSAGE 1) had the three case law citations.

Obtaining body cam footage through discovery and an expert witness from REACH (concerning autism) are probably

the key things. Should be able to file a motion in limine or a motion for directed verdict base on those evidences.

As for the January 28, 2019 Court date, they should allow a "motion for continuance"

IF Brian and his attorney (whether Scott or someone else) are not ready for trial.

Let me know if there's anything I can do to help.

Eric Clark

785-214-8904

From: Ken & Stella
Sent: Thursday, December 27, 2018 9:46 PM
To: salbrecht@mar.IDC.Virginia.gov
Cc: Eric S. Clark ; Roberta Hill
Subject: Brian D. Hill asked me to send this email to you about his appealed case

Attorney Albrecht:

Brian David Hill, our grandson is in the Western Regional Virginia jail. He has asked us to send you an email with these statements and asking these

3900

questions: Please reply to this email letting us know that you have read this.

My scheduled court date for the Martinsville Circuit Court is January 28, 2019.

I will file a motion for Writ of Actual Innocence and motion for new trial pursuant to Virginia Code Sec. 19.2-265.4 a failure to provide discovery in Misdemeanor and felony cases. The bodycam footage and 911 recording is another one. I will fill out the ADA Accommodation form for my Circuit Court case on January 28, 2019.

Also please email Scott Albrecht and see if he wishes to represent me on appeal or notify the Court that he cannot represent me so a new lawyer can be appointed as soon as possible for Circuit Court

If Scott wishes to get involved, he will have to work with Eric Clark since he has the three Virginia appeal case laws that I had messaged him. (Eric's email address is above).

Brian is also filling out an accommodation form for disabled citizens.

Sincerely.

Ken & Stella Forinash

(Brian David Hill's grandparents)

EXHIBIT 18

attached to: "MOTION FOR SET ASIDE OR RELIEVE DEFENDANT OF JUDGMENT OF CONVICTION OF CRIMINAL CHARGE PURSUANT TO VIRGINIA CODE § 8.01-428(D), VIRGINIA CODE § 8.01-428(A) AND VIRGINIA CODE § 8.01-428(B) ON THE BASIS OF FRAUD UPON THE COURT, CLERICAL FACTUAL ERRORS"

by Brian David Hill

Case no. CR19000009-00, Circuit Court, City of Martinsville, Virginia

Ally of Q, Former news reporter of USWGO Alternative News
JUSTICEFORUSWGO.WORDPRESS.COM







Brian Hill
MRN: MM00370912
ACCT: MM7806761243

Sovah Health Martinsville

320 Hospital Drive
Martinsville, VA 24112
276-666-7237

7806761243

Emergency Department Instructions for: **Hill, Brian D**

Arrival Date: **Friday, September 21, 2018**

Thank you for choosing **Sovah Health Martinsville** for your care today. The examination and treatment you have received in the Emergency Department today have been rendered on an emergency basis only and are not intended to be a substitute for an effort to provide complete medical care. You should contact your follow-up physician as it is important that you let him or her check you and report any new or remaining problems since it is impossible to recognize and treat all elements of an injury or illness in a single emergency care center visit.

Care provided by: Hinchman, Brant, DO

Diagnosis: Abrasion, right knee; Abrasion of unspecified front wall of thorax

DISCHARGE INSTRUCTIONS	FORMS
VIS, Tetanus, Diphtheria (Td) - CDC Abrasion, Easy-to-Read Knee Pain, Easy-to-Read	Medication Reconciliation
FOLLOW UP INSTRUCTIONS	**PRESCRIPTIONS**
Private Physician When: Tomorrow; Reason: Further diagnostic work-up, Recheck today's complaints, Continuance of care **Emergency Department** When: As needed; Reason: Fever > 102 F, Trouble breathing, Worsening of condition	None
SPECIAL NOTES	
None	

National Hopeline Network: 1-800-784-2433

If you received a narcotic or sedative medication during your Emergency Department stay you should not drive, drink alcohol or operate heavy machinery for the next 8 hours as this medication can cause drowsiness, dizziness, and decrease your response time to events.

I hereby acknowledge that I have received a copy of my transition care record and understand the above instructions and prescriptions.

Brian D. Hill
Brian Hill

Jessica Tate, RN, BSN
ED Physician or Nurse
09/21/2018 04:52

EMERGENCY DEPARTMENT RECORD
Physician Documentation
Sovah Health Martinsville
Name: Brian Hill
Age: 28 yrs
Sex: Male
DOB: 05/26/1990
MRN: MM00370912
Arrival Date: 09/21/2018
Time: 04:04
Account#: MM7806761243
Bed ER 9
Private MD:
ED Physician Hinchman, Brant
HPI:
09/21
04:40 This 28 yrs old White Male presents to ER via Law Enforcement with complaints of Knee Pain. bdh
09/21
04:48 28-year-old male with diabetes and autism presents for evaluation after complaining of right knee pain and scrapes and abrasions. Patient was apparently taking pictures of himself in the nude across town this evening and when police attempted apprehend him brain through Briar patch. Patient does report scratches and abrasions to the right knee but no pain on range of motion. Unknown last tetanus.. bdh

Historical:
- Allergies: Ranitidine;
- PMHx: autism; Diabetes - IDDM; OCD;
- Exposure Risk/Travel Screening:: Patient has not been out of the country in last 30 days. Have you been in contact with anyone who is ill that has traveled outside of the country in the last 30 days? No.
- Social history:: Tobacco Status: The patient states he/she has never used tobacco. The patient/guardian denies using alcohol, street drugs, The patient's primary language is English. The patient's preferred language is English.
- Family history:: No immediate family members are acutely ill.
- Sepsis Screening:: Sepsis screening negative at this time.
- Suicide Risk Screen:: Have you been feeling depressed in the last couple of weeks? No Have you been feeling hopeless to the extent that you would want to end your life? No Have you attempted suicide or had a plan to attempt within the last 12 months? No.
- Abuse Screen:: Patient verbally denies physical, verbal and emotional abuse/neglect.
- Tuberculosis screening:: No symptoms or risk factors identified.
- The history from nurses notes was reviewed: and my personal history differs from that reported to nursing.

ROS:
09/21
04:49 All other systems are negative, except as documented below. bdh

Constitutional: Negative for chills, fever. Respiratory: Negative for

Brian Hill
MRN: MM00370912
ACCT: MM7806761243

FOLLOW UP INSTRUCTIONS

Private Physician
When: Tomorrow
Reason: Further diagnostic work-up, Recheck today's complaints, Continuance of care

Emergency Department
When: As needed
Reason: Fever > 102 F, Trouble breathing, Worsening of condition

7 806761243

Brian Hill
MRN: MM00370912
ACCT: MM7806761243

MRN # MM00370912

X-RAYS and LAB TESTS:
If you had x-rays today they were read by the emergency physician. Your x-rays will also be read by a radiologist within 24 hours. If you had a culture done it will take 24 to 72 hours to get the results. If there is a change in the x-ray diagnosis or a positive culture, we will contact you. Please verify your current phone number prior to discharge at the check out desk.

MEDICATIONS:
If you received a prescription for medication(s) today, it is important that when you fill this you let the pharmacist know all the other medications that you are on and any allergies you might have. It is also important that you notify your follow-up physician of all your medications including the prescriptions you may receive today.

TESTS AND PROCEDURES

Labs
None

Rad
None

Procedures
None

Other
Call ERT, IV saline lock

Chart Copy

7806761234

cough, dyspnea on exertion, shortness of breath. MS/extremity: Positive for pain, Negative for decreased range of motion, paresthesias, swelling, tenderness, tingling. Skin: Positive for abrasion(s), Negative for rash, swelling.

Exam:
09/21
04:49 Constitutional: This is a well developed, well nourished patient who bdh is awake, alert, and in no acute distress. Head/Face: Normocephalic, atraumatic. Eyes: Pupils equal round and reactive to light, extra-ocular motions intact. Lids and lashes normal. Conjunctiva and sclera are non-icteric and not injected. Cornea within normal limits. Periorbital areas with no swelling, redness, or edema. ENT: Oropharynx with no redness, swelling, or masses, exudates, or evidence of obstruction, uvula midline. Mucous membranes moist. No meningismus. Neck: Supple, full range of motion without nuchal rigidity, or vertebral point tenderness. No Meningismus. No JVD Cardiovascular: Regular rate and rhythm with a normal S1 and S2. No gallops, murmurs, or rubs. No JVD. No pulse deficits. Respiratory: Lungs have equal breath sounds bilaterally, clear to auscultation and percussion. No rales, rhonchi or wheezes noted. No increased work of breathing, no retractions or nasal flaring. Abdomen/GI: Soft, non-tender, with normal bowel sounds. No distension or tympany. No guarding or rebound. No pulsatile mass. Back: No spinal tenderness. No costovertebral tenderness. Full range of motion. Skin: Multiple superficial abrasions to the groin and abdomen without fluctuance or tenderness. MS/ Extremity: Pulses equal, no cyanosis. Neurovascular intact. Full, normal range of motion. No peripheral edema, tenderness. Abrasion to right knee but nontender, no deformity or swelling. Ambulating without difficulty. Neuro: Awake and alert, GCS 15, oriented to person, place, time, and situation. Cranial nerves II-XII grossly intact. Psych: Awake, alert, with orientation to person, place and time. Behavior, mood, and affect are within normal limits.

Vital Signs:
09/21
04:09 BP 124 / 86; Pulse 119; Resp 19; Temp 98; Pulse Ox 98% ; Weight 99.79 jt kg; Height 6 ft. 0 in. (182.88 cm); Pain 0/10;
09/21
05:01 BP 119 / 80; Pulse 106; Resp 16; Temp 98.2; Pulse Ox 99% ; Pain 0/10; jt
09/21
04:09 Body Mass Index 29.84 (99.79 kg, 182.88 cm) jt

MDM:
09/21
04:04 MSE Initiated by Provider. bdh
09/21
04:50 Differential diagnosis: fracture, sprain, penetrating trauma, et al. bdh ED course: Cleared from a psychiatric standpoint by Behavioral Health. Patient will be discharged to jail. No new complaints.. Data reviewed: vital signs, nurses notes. Counseling: I had a detailed

discussion with the patient and/or guardian regarding: the historical points, exam findings, and any diagnostic results supporting the

discharge/admit diagnosis, the need for outpatient follow up, to return to the emergency department if symptoms worsen or persist or if there are any questions or concerns that arise at home.

09/21
04:16 Order name: Call ERT; Complete Time: 04:25 bdh
09/21
04:16 Order name: IV saline lock; Complete Time: 04:36 bdh
09/21
04:29 Order name: Other: NO suicidal homicidal risk; Complete Time: 05:03 bdh

Dispensed Medications:
Discontinued: NS 0.9% 1000 ml IV at 999 mL/hr once
09/21
04:36 Drug: Tetanus-Diphtheria Toxoid Adult 0.5 ml {Manufacturer: Grifols Therapeutics. Exp: 09/27/2020. Lot #: A112A. } Route: IM; Site: right deltoid; lb1
09/21
05:04 Follow up: Response: No adverse reaction lb1
09/21
04:36 Drug: NS 0.9% 1000 ml Route: IV; Rate: 999 mL/hr; Site: right arm; Delivery: Primary tubing; lb1
09/21
05:11 Follow up: IV Status: Completed infusion dr

Disposition:
09/21
04:52 Electronically signed by Hinchman, Brant, DO at 04:52 on 09/21/2018. bdh
Chart complete.

Disposition:
09/21/18 04:52 Discharged to Jail/Police. Impression: Abrasion, right knee, Abrasion of unspecified front wall of thorax.
- Condition is Stable.
- Discharge Instructions: VIS, Tetanus, Diphtheria (Td) - CDC, Abrasion, Easy-to-Read, Knee Pain, Easy-to-Read.

- Medication Reconciliation form.
- Follow up: Private Physician; When: Tomorrow; Reason: Further diagnostic work-up, Recheck today's complaints, Continuance of care. Follow up: Emergency Department; When: As needed; Reason: Fever > 102 F, Trouble breathing, Worsening of condition.
- Problem is new.
- Symptoms have improved.

Order Results:
There are currently no results for this order.
Signatures:

Dispatcher MedHost		EDMS
Tate, Jessica, RN	RN	jt
Hinchman, Brant, DO	DO	bdh

```
Ramey, Nicole                                nmr
Bouldin, Lauren, RN                    RN    lb1
Reynolds, Daniel R                     RN    dr

Corrections: (The following items were deleted from the chart)
09/21
04:48 09/21 04:16 COMPREHENSIVE METABOLIC PANEL+LAB ordered. EDMS          EDMS
09/21
04:48 09/21 04:16 COMPLETE BLD COUNT W/AUTO DIFF+LAB ordered. EDMS         EDMS
09/21
04:49 09/21 04:16 CPK, TOTAL+LAB ordered. EDMS                            EDMS
09/21
04:50 09/21 04:16 ALCOHOL, ETHYL+LAB ordered. EDMS                        EDMS
09/21
04:50 09/21 04:16 STAT OVERDOSE PANEL+LAB ordered. EDMS                   EDMS
09/21
04:52 09/21 04:52 09/21/2018 04:52 Discharged to Jail/Police. Impression:  bdh
Abrasion, right knee; Abrasion of unspecified front wall of thorax.
Condition is Stable. Discharge Instructions: Medication
Reconciliation. Follow up: Private Physician; When: Tomorrow; Reason:
Further diagnostic work-up, Recheck today's complaints, Continuance
of care. Follow up: Emergency Department; When: As needed; Reason:
Fever > 102 F, Trouble breathing, Worsening of condition. Problem is
new. Symptoms have improved. bdh
09/21
04:54 09/21 04:16 URINALYSIS W/REFLEX TO CULTURE+LAB ordered. EDMS        EDMS

*****************************************************************************
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EXHIBIT 19

attached to: "MOTION FOR SET ASIDE OR RELIEVE DEFENDANT OF JUDGMENT OF CONVICTION OF CRIMINAL CHARGE PURSUANT TO VIRGINIA CODE § 8.01-428(D), VIRGINIA CODE § 8.01-428(A) AND VIRGINIA CODE § 8.01-428(B) ON THE BASIS OF FRAUD UPON THE COURT, CLERICAL FACTUAL ERRORS"

by Brian David Hill

Case no. CR19000009-00, Circuit Court, City of Martinsville, Virginia

Ally of Q, Former news reporter of USWGO Alternative News
JUSTICEFORUSWGO.WORDPRESS.COM







Brian D. Hill asked me to send this email to you about his appealed case

From: Ken & Stella (kenstella2007@yahoo.com)

To: salbrecht@mar.IDC.Virginia.gov

Cc: eric@whitestonepublishing.org; rbhill67@yahoo.com

Date: Thursday, December 27, 2018 at 10:50 PM EST

Attorney Albrecht:

Brian David Hill, our grandson is in the Western Regional Virginia jail. He has asked us to send you an email with these statements and asking these questions: Please reply to this email letting us know that you have read this.

My scheduled court date for the Martinsville Circuit Court is January 28, 2019.

I will file a motion for Writ of Actual Innocence and motion for new trial pursuant to Virginia Code Sec. 19.2-265.4 a failure to provide discovery in Misdemeanor and felony cases. The bodycam footage and 911 recording is another one. I will fill out the ADA Accommodation form for my Circuit Court case on January 28, 2019.

Also please email Scott Albrecht and see if he wishes to represent me on appeal or notify the Court that he cannot represent me so a new lawyer can be appointed as soon as possible for Circuit Court

If Scott wishes to get involved, he will have to work with Eric Clark since he has the three Virginia appeal case laws that I had messaged him. (Eric's email address is above).

Brian is also filling out an accommodation form for disabled citizens.

Sincerely.

Ken & Stella Forinash
(Brian David Hill's grandparents)

EXHIBIT 20

attached to: "MOTION FOR SET ASIDE OR RELIEVE DEFENDANT OF JUDGMENT OF CONVICTION OF CRIMINAL CHARGE PURSUANT TO VIRGINIA CODE § 8.01-428(D), VIRGINIA CODE § 8.01-428(A) AND VIRGINIA CODE § 8.01-428(B) ON THE BASIS OF FRAUD UPON THE COURT, CLERICAL FACTUAL ERRORS"

by Brian David Hill

Case no. CR19000009-00, Circuit Court, City of Martinsville, Virginia

Ally of Q, Former news reporter of USWGO Alternative News
JUSTICEFORUSWGO.WORDPRESS.COM







Fw: Brian D. Hill request

From: Ken & Stella (kenstella2007@yahoo.com)

To: rbhill67@yahoo.com

Date: Wednesday, December 26, 2018 at 04:30 PM EST

----- Forwarded Message -----
From: Eric S Clark <eric@whitestonepublishing.org>
To: Ken & Stella <kenstella2007@yahoo.com>
Sent: Wednesday, December 26, 2018, 7:27:15 AM EST
Subject: Re: Brian D. Hill request

Yes, if the attorney has not filed by Friday, then take those two documents to the court (Fri or next Wed).
Those documents should work okay.

RE Albrecht was not a good attorney.

Yes and no.
He did bring up the same argument that WON on several appeals but maybe did not identify those cases specifically enough and maybe did not lay out enough facts for the appeal process.

If the appeal is "new trial" then more evidence can be brought up.
If the appeal is just review of the trial below, then generally the appeal court will not consider new evidence.

I don't know what evidence the State presented, but I doubt it was enough
to show the legal standard of "obscene" was met.

The quotes below are from the appeal court in another case:

"A portrayal of nudity is not, as a matter of law, a sufficient basis for finding that [it] is obscene."

The State must establish that Brian's "actions had as their dominant

purpose an appeal to the prurient interest in sex."

With "purient interest in sex" meaning

"a shameful or morbid interest in nudity, sexual conduct, sexual excitement, excretory functions or products thereof or sadomasochistic abuse, and which goes substantially beyond customary limits of candor in description or representation of such matters and which, taken as a whole, does not have serious literary, artistic, political or scientific value."

PS

Lowest level (trial court) judges sometimes(often?) do not know the

necessary meanings if the particular law in question

so they sometimes rule incorrectly.

Again, I don't know what evidence the State presented, but,

at this point, I think Brian has 95+% of wining on appeal.

From: Ken & Stella
Sent: Wednesday, December 26, 2018 4:48 AM
To: Eric S Clark
Subject: Re: Brian D. Hill request

Thank you, Eric. We will check to make sure that an appeal is filed by this Friday. If not, do we need to take something to the court ourselves by this Friday? Brian's trial was on Friday, Dec 21st. Court was closed on Sat - Tue Christmas Day. Will be opened this Wed., Thur, Fri. then closed for New Years Sat. - Tuesday. Albrecht was not a good attorney. We saw him lose another case before Brian's. We can't afford an attorney and appreciate all of your help!

On Tuesday, December 25, 2018, 9:58:25 PM EST, Eric S Clark <eric@whitestonepublishing.org> wrote:

I forwarded the information in the bottom email to the Public Defender that represented Brian. It is his DUTY as trial counsel to file the notice of appeal if he knows Brian wants to appeal.

So, there will probably be nothing more you need to do other than check with the court to see if a notice of appeal has been filed already.

I looked at the cases Brian researched and based on those, he should win the appeal.

That said, if the appeal requires a "new trial" rather than just filing a brief to identify the trial court error, I encouraged Brian to seek a PLEA DEAL.
Only because that is an extra avenue to keep from having his supervised release from being revoked. That is,
PLEA to a Jaywalking charge and pay a fine, something like that.

It was WRING to hold Brian in jail so long on this charge.
Even with a GUILTY, the sentence was only 30 days.
It sounds like he was in jail way longer than that before trial.
Disgusting.

If the Public Defender wants to stay out of trouble, HE WILL FILE the notice of appeal -- probably right away. :-0)
From here down was sent to his Public Defender's email

From: Eric S Clark
Sent: Tuesday, December 25, 2018 4:46 PM
To: salbrecht@mar.IDC.Virginia.gov
Subject: Brian D. Hill request

I was asked to forward these messages from Brian Hill.

MESSAGE 1

Scott Albrecht can be forwarded my email.

Scott Albrecht salbrecht@mar.IDC.Virginia.gov,

I attempted to file a pro se Notice of Appeal to the Circuit Court on late December 21, 2018, but the mail will go out till Wednesday morning if the jail doesn't fetter with it.

The facts are simple 1. Brian was not aroused in the pictures. Brian hadpsd Autism Spectrum Disorder. Brian exhibited an extreme form of compliance so that his mother Roberta Hill wouldn't be killed. 2. Brian attempted to file two pro se motions to the Clerk of the Martinsville General District Court which never made docket in November prior to the trial. 3. Arguably, Nudists can take pictures of themselves and they were not aroused in pictures. The pictures in the case of Brian was to satisfy the guy who threatened to kill his mother. 4. Evidence of coercion exists but was not disclosed under Discovery violating Brady rights. Police bodycam footage during interview of Brian after arrest. The 911 call recording mast mention of Brian placing his hand ovrper his mouth or face which is unusual for indecent exposures. There are no Virginia indecent exposure cases with a guy putting his hand over his mouth and the other to his side. Brian has Autism. The witness who called 911 was never subpoenaed. An psychologist expert never reviewed over the pictures, bodycam footage, and interview Brian before testifying at the trial.

Brian was not aroused, Brian was coerced, his whole affidavit should have been presented before the Judge at trial, not bits and pieces of testimony but only the whole truth and nothing but the truth so help me God.

If the court of appeals adopts the three case laws to Brian's situation then he is not guilty of indecent exposure.

A.M v. Commonwealth of Virginia Alexandria, VA Circuit Court Case no 1150-12-4

Kenneth Samuel Moses v. Commonwealth of Virginia Salem, VA Circuit court Case no 0985-03-3

Kimberly F. Neice v. Commonwealth of Virginia Teleconference, VA Circuit Court CASE NO. 1477-09-3

Scott, all three were acquitted based exactly on your argument that I am innocent and didn't do anything indecent. The Court of Appeals may adopt those three rulings. I was never aroused in the photos. Competency was never a good strategy. An evaluation for the photos and an Autism expert under a certified psychology license would determine that I didn't behave appropriate in response to a threatening situation by over-complying. I showed signs of coercion when Iqpwas interviewed by the officer who turned on his body camera and the red recording light was on. That would show coercion as I was shaken up and explaining to the officer what had happened.

Scott I am innocent of indecent exposure based on the evidence that the prosecutor and police knew about and did not present during the trial.

MESSAGE 2

Scott, Eric knows he is forwarding this message and the other message. Scott you know I was wrongfully convicted. I can still win. Three different Appellate rulings.

Scott, Eric is a witness that knows that I wanted to appeal to the Circuit Court. Scott please follow my request as my representative to directly appeal my wrongful conviction.

Thank you Scott and Thank you Eric. God bless you both.

Best Regards, Brian D. Hill U.S.W.G.O.

MESSAGE 3

If they can push for a plea deal to a small infraction charge of illegal parking or even Jaywalking or some small stupid infraction charge in a plea deal, my Supervised Release will not be revoked.

Something that carries only a fine.

Mention that to Scott Albrecht.

He can also push for deferred prosecution requiring me to take safety courses.

EXHIBIT 21

attached to: "MOTION FOR SET ASIDE OR RELIEVE DEFENDANT OF JUDGMENT OF CONVICTION OF CRIMINAL CHARGE PURSUANT TO VIRGINIA CODE § 8.01-428(D), VIRGINIA CODE § 8.01-428(A) AND VIRGINIA CODE § 8.01-428(B) ON THE BASIS OF FRAUD UPON THE COURT, CLERICAL FACTUAL ERRORS"

by Brian David Hill

Case no. CR19000009-00, Circuit Court, City of Martinsville, Virginia

Ally of Q, Former news reporter of USWGO Alternative News
JUSTICEFORUSWGO.WORDPRESS.COM







ORDER IN MISDEMEANOR OR TRAFFIC INFRACTION PROCEEDING

Case No. CR19000009-00

MARTINSVILLE CIRCUIT COURT Circuit Court

MARTINSVILLE

v.

BRIAN DAVID HILL

310 FOREST ST,APT 1

MARTINSVILLE, VA. 24112

COMPLETE DATA BELOW IF KNOWN

RACE	SEX	BORN MO.	BORN DAY	BORN YR.	HT. FT.	HT. IN.	WGT.	EYES	HAIR
W	M	05	26	1990	6	00	150	BL	BR

SSN: [redacted]0319

SEPTEMBER 21, 2018 OFFENSE DATE

NOVEMBER 15, 2019 TRIAL DATE

The Defendant was this day [ ] tried in absence [x] present

Attorney: CLARK, MATT [x] Appointed [ ] Retained

Original Charge: INDECENT EXPOSURE

Code Section: 18.2-387 [ ] State Code [x] Local Ordinance

Virginia Crime Code: OBS-3713-O1 Offense Tracking Number: 690GM1800003560

Plea:

[x] Not Guilty
[ ] Guilty as Charged
[ ] Guilty to Amended Charge
[ ] Nolo Contendere

[ ] Consent by Defendant to Waiver of Jury
[ ] Concurrence of Court and Commonwealth's Attorney
[ ] Plea voluntarily and intelligently entered after defendant was apprised of his right against compulsory self-incrimination, right to confront the witnesses against him, and right to a jury trial.

Charge: INDECENT EXPOSURE

Code Cite: 18.2-387 Virginia Crime Code: OBS-3713-O1

Finding:

[ ] Not Guilty [ ] Guilty of .....
[ ] Guilty as Charged [ ] Plea Agreement Accepted [x] Appeal/Withdraw/Affirm [ ] Appeal not timely filed
[ ] Facts sufficient to find guilt but defer adjudication/disposition to ..... DATE AND TIME

Charge: INDECENT EXPOSURE

Code Cite: 18.2-387 Virginia Crime Code: OBS-3713-O1

Order:

[ ] Nolle Prosequi [ ] Dismissed [ ] Dismissed with Prejudice [ ] Continued to ..... DATE AND TIME [x] COSTS imposed

[ ] FINE [ ] CIVIL PENALTY of $ ..... with $ ..... suspended

[x] JAIL SENTENCE of 30 DAYS imposed, [ ] of which ..... days mandatory minimum, with ..... suspended for a period of ....., conditioned upon being of good behavior, keeping the peace, obeying this order and for paying fines and costs.

Credit is allowed pursuant to § 53.1-187 for time spent in confinement.

[ ] Serve jail sentence beginning ..... [ ] on weekends only

[ ] Work release [ ] authorized if eligible [ ] required [ ] not authorized [ ] Public work force [ ] authorized [ ] not authorized

[ ] on PROBATION for ..... [ ] VASAP [ ] local community-based probation agency

[ ] DRIVER'S LICENSE suspended for .....

[ ] Restricted Driver's License per attached order [ ] Ignition Interlock for .....

[ ] Attached ORDER FOR RESTITUTION incorporated.

[ ] COMMUNITY SERVICE ..... hours to be completed by ..... and supervised by .....
[ ] to be credited against fines and costs

[ ] Contact prohibited between defendant and victim/victim's family or household members

[ ] Reimburse Commonwealth for investigatory medical fees [ ] Pay $50 fee to the Court for Trauma Center Fund

[ ] Registration pursuant to Code § 9.1-903 for offenses defined in § 9.1-902 is required.

[ ] Remanded for [ ] CCRE Report [ ] .....

[ ] Bail on Appeal $ .....

[x] Other: DEF ~~CHANGED HIS PLEA TO GUILTY AND~~ AFFIRMED JUDG GDC, PAY COURT COSTS.

11/18/19
DATE

JUDGE

3920

FORM CC-1392 MASTER 07/19

EXHIBIT 22

attached to: "MOTION FOR SET ASIDE OR RELIEVE DEFENDANT OF JUDGMENT OF CONVICTION OF CRIMINAL CHARGE PURSUANT TO VIRGINIA CODE § 8.01-428(D), VIRGINIA CODE § 8.01-428(A) AND VIRGINIA CODE § 8.01-428(B) ON THE BASIS OF FRAUD UPON THE COURT, CLERICAL FACTUAL ERRORS"

by Brian David Hill

Case no. CR19000009-00, Circuit Court, City of Martinsville, Virginia

Ally of Q, Former news reporter of USWGO Alternative News
JUSTICEFORUSWGO.WORDPRESS.COM







VIRGINIA: IN THE GENERAL DISTRICT COURT FOR THE CITY OF MARTINSVILLE

COMMONWEALTH OF VIRGINIA,	)	
	)	
v.	)	**CASE NO: C18-3138**
	)	
BRIAN DAVID HILL,	)	
Defendant.	)	

ORDER

This case came this day to be heard upon the written motion of the Defendant, BRIAN DAVID HILL, by counsel, who moved, pursuant to Rule 7C:5 of the Rules of the Supreme Court of Virginia, that the Commonwealth's Attorney be directed to permit the Defendant discovery in this case, as set forth in said Rule, and

It appearing to the Court that discovery pursuant to Rule 7C:5 should be granted to the Defendant, it is hereby ORDERED and DECREED that the Commonwealth's Attorney permit counsel for the Defendant to inspect and copy or photograph, within a reasonable time, before the preliminary hearing, the following:

(1) Any relevant written or recorded statements or confessions made by the Defendant, or copies thereof, or the substance of any oral statements or confessions made by the Defendant to any law enforcement officer, the existence of which is known to the attorney for the Commonwealth;

(2) A copy of any criminal record of the accused; and

(3) Any exculpatory information or evidence as set forth by *Brady v. Maryland* and its progeny that is known to the Commonwealth.

And it is further ADJUDGED, ORDERED and DECREED that the Commonwealth shall promptly notify counsel for the Defendant of the existence of any additional material

subsequently discovered which falls within the scope of this motion and make all such additional material available to the Defendant's attorney in accordance with the text and intention of this Motion.

ENTER this 28 day of November, 2018.

Judge

I ASK FOR THIS:

Scott Albrecht, Esq. (VSB #88411)
Office of the Public Defender
P.O. Drawer 31
Martinsville, VA 24114
T: (276) 666-2206 ext. 106
F: (276) 666-8929
salbrecht@mar.idc.virginia.gov
Counsel for Defendant

Michael McPherson
Returned for
Bond hearing
10-12-18
9:45a

SEEN and Agreed:

Attorney for the Commonwealth
City of Martinsville, Virginia
P.O. Box 1311
Martinsville, VA 24112
T: (276) 403-5470

RECEIVED
DATE/TIME 11-28-18 11a
BY D. Collins D. Clerk
MARTINSVILLE GENERAL DISTRICT COURT

VIRGINIA: IN THE CIRCUIT COURT FOR THE CITY OF MARTINSVILLE

COMMONWEALTH OF VIRGINIA,
Plaintiff

vs. CR19-009

BRIAN DAVID HILL,
Defendant.

ORDER REGARDING DISCOVERY

Came this day, the Defendant, Brian David Hill, by counsel, who moved, pursuant to Rule 3A:11 of the Rules of Court, that the Commonwealth's Attorney be directed to permit the Defendant discovery in this case, as set forth in the said Rule, and upon the motion of the attorney of the Commonwealth requesting reciprocal discovery under the said Rule; and,

It appearing to the Court that discovery pursuant to Rule 3A:11(b) should be granted to the Defendant, it is hereby ORDERED that the Commonwealth's Attorney permit counsel for the Defendant to inspect and copy or photograph, within a reasonable time, before the trial or sentencing, the following:

(1) Any relevant written or recorded statements or confessions made by the Defendant, or copies thereof, or the substance of any oral statements or confessions made by the Defendant to any law enforcement officer, the existence of which is known to the attorney for the Commonwealth, any certificates of analysis pursuant to §19.2-187, and any relevant written reports of autopsies, ballistic tests, fingerprint analyses, handwriting analyses, blood, urine, and breath tests, other scientific reports, and written reports of a physical or mental examination of the Defendant or the alleged victim made in connection with this particular case, or copies thereof, that are known by the Commonwealth's Attorney to be within the possession, custody, or

control of the Commonwealth.

(2) Any exculpatory information or evidence under the guidelines established by Brady v. Maryland, 373 U.S. 83 (1963), and subsequent case law, whether by way of statements, real evidence, scientific analysis, or reports, known to or in the possession of the Commonwealth.

(3) The Commonwealth shall promptly notify counsel for the Defendant of the existence of any additional material subsequently discovered (until the time of trial and at trial) which falls within the scope of this motion and make all such additional material available to the Defendant's attorney in accordance with the text and intention of this Motion.

It appearing to the Court that the motion for reciprocal discovery filed by the attorney for the Commonwealth pursuant to Rule 3A:11 should also be granted, it is hereby ORDERED that counsel for the Defendant permit the Commonwealth's Attorney to inspect, copy, or photograph, within a reasonable time, but not less than ten days before the trial or sentencing, any written reports of autopsy examinations, ballistic tests, fingerprints, blood, urine, and breath analyses, and other scientific tests that may be within the Defendant's possession, custody, or control and which the defense intends to proffer or introduce into evidence at the trial or sentencing:

It is further ORDERED that the Defendant disclose whether he or she intends to introduce evidence to establish an alibi, and, if so, to disclose the place at which he or she claims to have been at the time of the commission of the alleged offense.

It is further ORDERED that if the Defendant intends to rely upon the defense of insanity or feeblemindedness, the Defendant shall permit the Commonwealth to inspect, copy, or photograph any written reports of physical or mental examination of the Defendant made in connection with this particular case.

It is further ORDERED that the inspection and copying or photographing by the counsel for the Defendant shall take place at the office of the Commonwealth's Attorney at Martinsville, Virginia, or at some other mutually agreeable location, by appointment or at any convenient time during regular office hours, and that the inspection and copying or photographing by the attorney for the Commonwealth shall take place at the office of the counsel for the Defendant, or at some other mutually agreeable location, by appointment or at any convenient time during regular office hours.

ENTERED this 6th day of February, 2019.

Judge

I ASK FOR THIS:

Scott Albrecht (VSB #88411)
Office of the Public Defender
P. O. Drawer 31
Martinsville, VA 24114
276-666-2206
276-666-8929 (fax)
salbrecht@mar.idc.virginia.gov

SEEN:

Counsel for the Commonwealth

VIRGINIA: IN THE CIRCUIT COURT FOR THE CITY OF MARTINSVILLE

COMMONWEALTH OF VIRGINIA,
Plaintiff

vs. CR19000009-00

BRIAN DAVID HILL,
Defendant.

ORDER REGARDING DISCOVERY

Came this day, the Defendant, Brian David Hill, by counsel, who moved, pursuant to Rule 3A:11 of the Rules of Court, that the Commonwealth's Attorney be directed to permit the Defendant discovery in this case, as set forth in the said Rule, and upon the motion of the attorney of the Commonwealth requesting reciprocal discovery under the said Rule; and,

It appearing to the Court that discovery pursuant to Rule 3A:11(b) should be granted to the Defendant, it is hereby ORDERED that the Commonwealth's Attorney permit counsel for the Defendant to inspect and copy or photograph, within a reasonable time, before the trial or sentencing, the following:

(1) Any relevant written or recorded statements or confessions made by the Defendant, or copies thereof, or the substance of any oral statements or confessions made by the Defendant to any law enforcement officer, the existence of which is known to the attorney for the Commonwealth, any certificates of analysis pursuant to §19.2-187, and any relevant written reports of autopsies, ballistic tests, fingerprint analyses, handwriting analyses, blood, urine, and breath tests, other scientific reports, and written reports of a physical or mental examination of the Defendant or the alleged victim made in connection with this particular case, or copies thereof, that are known by the Commonwealth's Attorney to be within the possession, custody, or

control of the Commonwealth.

(2) Any exculpatory information or evidence under the guidelines established by Brady v. Maryland, 373 U.S. 83 (1963), and subsequent case law, whether by way of statements, real evidence, scientific analysis, or reports, known to or in the possession of the Commonwealth.

(3) The Commonwealth shall promptly notify counsel for the Defendant of the existence of any additional material subsequently discovered (until the time of trial and at trial) which falls within the scope of this motion and make all such additional material available to the Defendant's attorney in accordance with the text and intention of this Motion.

It appearing to the Court that the motion for reciprocal discovery filed by the attorney for the Commonwealth pursuant to Rule 3A:11 should also be granted, it is hereby ORDERED that counsel for the Defendant permit the Commonwealth's Attorney to inspect, copy, or photograph, within a reasonable time, but not less than ten days before the trial or sentencing, any written reports of autopsy examinations, ballistic tests, fingerprints, blood, urine, and breath analyses, and other scientific tests that may be within the Defendant's possession, custody, or control and which the defense intends to proffer or introduce into evidence at the trial or sentencing:

It is further ORDERED that the Defendant disclose whether he or she intends to introduce evidence to establish an alibi, and, if so, to disclose the place at which he or she claims to have been at the time of the commission of the alleged offense.

It is further ORDERED that if the Defendant intends to rely upon the defense of insanity or feeblemindedness, the Defendant shall permit the Commonwealth to inspect, copy, or photograph any written reports of physical or mental examination of the Defendant made in connection with this particular case.

It is further ORDERED that the inspection and copying or photographing by the counsel for the Defendant shall take place at the office of the Commonwealth's Attorney at Martinsville, Virginia, or at some other mutually agreeable location, by appointment or at any convenient time during regular office hours, and that the inspection and copying or photographing by the attorney for the Commonwealth shall take place at the office of the counsel for the Defendant, or at some other mutually agreeable location, by appointment or at any convenient time during regular office hours.

ENTERED this 15th day of July, 2019.

Judge

I ASK FOR THIS:

Scott Albrecht (VSB #88411)
Office of the Public Defender
P. O. Drawer 31
Martinsville, VA 24114
276-666-2206
276-666-8929 (fax)
salbrecht@mar.idc.virginia.gov

SEEN:

Counsel for the Commonwealth

EXHIBIT 23

attached to: "MOTION FOR SET ASIDE OR RELIEVE DEFENDANT OF JUDGMENT OF CONVICTION OF CRIMINAL CHARGE PURSUANT TO VIRGINIA CODE § 8.01-428(D), VIRGINIA CODE § 8.01-428(A) AND VIRGINIA CODE § 8.01-428(B) ON THE BASIS OF FRAUD UPON THE COURT, CLERICAL FACTUAL ERRORS"

by Brian David Hill

Case no. CR19000009-00, Circuit Court, City of Martinsville, Virginia

Ally of Q, Former news reporter of USWGO Alternative News
JUSTICEFORUSWGO.WORDPRESS.COM







HILL,BRIAN D
MM7805836274 PRE ER MM.ER
11/19/17 0850 UNKNOWN,UNKNOWN
DOB:05/26/90 27 M MR# MM00370912
Sovah Health - Martinsville

Sovah Health Martinsville

320 Hospital Drive
Martinsville, VA 24112
276-666-7237

11/9/67
97
98%
18

Emergency Department Instructions for: **Hill, Brian D**

Arrival Date: **Sunday, November 19, 2017**

Thank you for choosing **Sovah Health Martinsville** for your care today. The examination and treatment you have received in the Emergency Department today have been rendered on an emergency basis only and are not intended to be a substitute for an effort to provide complete medical care. You should contact your follow-up physician as it is important that you let him or her check you and report any new or remaining problems since it is impossible to recognize and treat all elements of an injury or illness in a single emergency care center visit.

Care provided by: Ekuban-Gordon, Edna, MD

Diagnosis: Head Laceration/ Open wound of head; Hyperglycemia, unspecified

DISCHARGE INSTRUCTIONS	FORMS
Head Injury, Adult Facial Laceration Hyperglycemia, Easy-to-Read Stitches, Staples, or Adhesive Wound Closure, Easy-to-Read	Medication Reconciliation
FOLLOW UP INSTRUCTIONS	**PRESCRIPTIONS**
Private Physician When: 2 - 3 days; Reason: Wound Recheck	None
SPECIAL NOTES	
None	

Suicide National Hotline: 1-800-273-8255 (800-273-TALK)

If you received a narcotic or sedative medication during your Emergency Department stay you should not drive, drink alcohol or operate heavy machinery for the next 8 hours as this medication can cause drowsiness, dizziness, and decrease your response time to events.

I hereby acknowledge that I have received a copy of my transition care record and understand the above instructions and prescriptions.

Brian D. Hill

Brian Hill
MRN # MM00370912

Bell Thornton, RN

ED Physician or Nurse
11/19/2017 12:14

X-RAYS and LAB TESTS:
If you had x-rays today they were read by the emergency physician. Your x-rays will also be read by a radiologist within 24 hours. If you

had a culture done it will take 24 to 72 hours to get the results. If there is a change in the x-ray diagnosis or a positive culture, we will contact you. Please verify your current phone number prior to discharge at the check out desk.

MEDICATIONS:
If you received a prescription for medication(s) today, it is important that when you fill this you let the pharmacist know all the other medications that you are on and any allergies you might have. It is also important that you notify your follow-up physician of all your medications including the prescriptions you may receive today.

TESTS AND PROCEDURES

Labs
CMP, Complete Blood Count W/auto Diff, Thyroid Stimulating Hormone, POC GLU, POC GLU

Rad
CT Head w/o Contrast, Chest 1 View - Portable

Procedures
Blood Sugar, 12 Lead EKG, Laceration

Other
Seizure precautions, Accucheck, Cardiac Monitor, Apply to Pt, Pulse ox continuous, Oxygen at 2 L/NC, IV saline lock, EKG ED, Laceration repair set up

Chart Copy



EMERGENCY DEPARTMENT RECORD
Nurse's Notes
Sovah Health Martinsville
Name: Brian Hill
Age: 27 yrs
Sex: Male
DOB: 05/26/1990
MRN: MM00370912
Arrival Date: 11/19/2017
Time: 08:51
Account#: MM7805836274
Bed ER 6
Private MD:
Diagnosis: Head Laceration/ Open wound of head;Hyperglycemia, unspecified

Presentation:
11/19
09:08 Presenting complaint: Patient states: had a seizure this morning due to low blood sugar, laceration to head per pt, bleeding controlled. Airway is patent with good air movement. The patient is breathing without difficulty. The patient is pink,warm and dry. Heart rate is within normal limits. Patient is alert and oriented to person, place and time, Patient is moving all extremities appropriately. ll
11/19
09:08 Acuity: Urgent (3) ll

Historical:
- Allergies: Ranitidine;
- Home Meds:
1. Unable to Obtain
- PMHx: OCD; autism; Diabetes - IDDM;
- Sepsis Screening:: Sepsis screening negative at this time.
- Social history:: Tobacco Status: The patient states he/she has never used tobacco. The patient's primary language is English. The patient's preferred language is English.
- Family history:: Reviewed and not pertinent.
- Exposure Risk/Travel Screening:: Patient has not been out of the country in last 30 days. Have you been in contact with anyone who is ill that has traveled outside of the country in the last 30 days? No.
- Suicide Screening:: Have you recently had thoughts about hurting yourself or others? No.
- Tuberculosis screening:: No symptoms or risk factors identified.

Screening:
11/19
09:41 Fall Risk: Total Points: Med. Risk (25-44);. Abuse Screen: Patient verbally denies physical, verbal and emotional abuse/neglect. There are no cultural/spiritual considerations for care for this patient. mkk

Assessment:
11/19

09:38 Complains of pain in face Pain does not radiate. Pain currently is 7 mkk

out of 10 on a pain scale. The level of pain that is acceptable is 0 out of 10 on a pain scale. General: Appears in no apparent distress, comfortable, well developed, well nourished, well groomed, Behavior is appropriate for age, cooperative, pleasant. Neuro: Reports headache. Neuro: Reports seizure due to low blood sugar. EENT: Denies. Cardiovascular: Denies. Respiratory: Denies. GI: Denies. GU: Denies. Derm: Denies. Musculoskeletal: Denies. Injury Description: Laceration sustained to face is clean, 0.5 to 2.5 cm long, not bleeding, was sustained 4-6 hours ago.

11/19 09:38 Method Of Arrival: EMS	mkk
Vital Signs:	
11/19 09:08 BP 131 / 76; Pulse 118; Resp 20; Temp 98.2; Pulse Ox 97% ; Weight 91.63 kg; Height 5 ft. 10 in. (177.80 cm);	ll
11/19 09:46	mkk
11/19 10:59 BP 124 / 73; Pulse 93; Resp 18; Pulse Ox 100% on R/A;	mkk
11/19 12:57 BP 119 / 67; Pulse 97; Resp 19; Pulse Ox 98% on R/A;	pt3
11/19 09:08 Body Mass Index 28.98 (91.63 kg, 177.80 cm)	ll
11/19 09:46 patient has OCD and had to do his "routines" prior to coming, has been about 4 hours since injury occured	mkk
Glasgow Coma Score:	
11/19 12:16 Eye Response: spontaneous(4). Verbal Response: oriented(5). Motor Response: obeys commands(6). Total: 15.	eeg
ED Course:	
11/19 08:51 Patient arrived in ED.	knm
11/19 09:09 Rapid Initial Assessment completed.	ll
11/19 09:27 Ekuban-Gordon, Edna, MD is Attending Physician.	eeg
11/19 09:41 Patient has correct armband on for positive identification. Placed in gown. Bed in low position. Call light in reach. Side rails up X2. Adult with patient. Seizure precautions initiated. NIBP on. Pulse ox on.	mkk
11/19 09:41 No physician assisted procedures were completed.	mkk
11/19 10:01 Inserted saline lock: 20 gauge right arm blood drawn from IV and sent to lab per order.	mkk
11/19 10:08 EKG Done By ED Tech 10:06 Reviewed by Physician Edna Ekuban-Gordon MD.	bh
11/19 10:40 Critical Lab Value: Patient Name verified: Brian Hill, Patient DOB	ll

Verified May 26, 1990 Critical value glucose 459reported read back to reporting lab personnel, and reported to Dr. Edna Ekuban-Gordon MD.
11/19
10:59 Assist provider with laceration repair Set up tray. mkk
11/19
11:53 Troncoso, Priscilla, RN is Primary Nurse. pt3

Administered Medications:
11/19
10:59 Drug: NS 0.9% 1000 ml Route: IV; Rate: 999 mL/hr; Site: right arm; mkk
11/19
12:59 Follow up: Response: No adverse reaction; IV Status: Completed infusion pt3
11/19
11:02 Drug: NovoLIN R 7 units {Co-Signature: mkk (Michaela Karet RN).} Route: IVP; Site: right arm; ll
11/19
12:58 Follow up: Response: No adverse reaction pt3

Point of Care Testing:
Blood Glucose:
11/19
09:40 Glucose Value: 489; mkk
11/19
09:43 Glucose Value: 435; mkk
11/19
09:40 test repeated mkk
Ranges:

Output:
11/19
11:28 Urine: 600ml (Voided); Total: 600ml. dab

Outcome:
11/19
12:14 Discharge ordered by Provider. eeg
11/19
12:57 Discharged to home ambulatory, with family. pt3
12:57 Instructions given to patient, parent, Instructed on discharge instructions. follow up and referral plans. . Patient and/or family voiced understanding of instructions using teach back method.
12:57 The patients' shirt, pants, shoes, socks and underwear were sent with the patient.
12:57 Discharge Assessment: Patient
12:57 Discharge Assessment: Patient has no functional deficits.
12:57 Discontinued IV lock intact, bleeding controlled, pressure dressing applied, No redness/swelling at site.
11/19
13:24 Patient left the ED. jkp

Signatures:
Harrison, Rindi, RN RN ll
Ekuban-Gordon, Edna, MD MD eeg

EMERGENCY DEPARTMENT RECORD
Physician Documentation
Sovah Health Martinsville
Name: Brian Hill
Age: 27 yrs
Sex: Male
DOB: 05/26/1990
MRN: MM00370912
Arrival Date: 11/19/2017
Time: 08:51
Account#: MM7805836274
Bed ER 6
Private MD:
ED Physician Ekuban-Gordon, Edna
HPI:
11/19
11:49 This 27 yrs old White Male presents to ER via EMS with complaints of Fall Injury. eeg
11/19
11:49 Onset: The symptoms/episode began/occurred today. Associated injuries: The patient sustained injury to the head. Associated signs and symptoms: Loss of consciousness: the patient experienced no loss of consciousness. Severity of symptoms: in the emergency department the symptoms are unchanged. Pain Management: Patient denies pain. The patient has experienced similar episodes in the past, a few times. The patient has not recently seen a physician. Family report history of low blood sugar, general low will have seizure episode when the blood sugar is low. Blood sugar was obtained by mom at 20 repeat 40 was subsequently given some oral glucose and brought here for further evaluation. Patient denies any headache palpitation no neck pain and stiffness. Admits to feeling like himself.. eeg

Historical:
- Allergies: Ranitidine;
- Home Meds:
1. Unable to Obtain
- PMHx: OCD; autism; Diabetes - IDDM;
- Sepsis Screening:: Sepsis screening negative at this time.
- Social history:: Tobacco Status: The patient states he/she has never used tobacco. The patient's primary language is English. The patient's preferred language is English.
- Family history:: Reviewed and not pertinent.
- Exposure Risk/Travel Screening:: Patient has not been out of the country in last 30 days. Have you been in contact with anyone who is ill that has traveled outside of the country in the last 30 days? No.
- Suicide Screening:: Have you recently had thoughts about hurting yourself or others? No.
- Tuberculosis screening:: No symptoms or risk factors identified.
- The history from nurses notes was reviewed: and I agree with what is documented up to this point.

ROS:

11/19
11:52 Eyes: Negative for injury, pain, redness, and discharge, ENT: eeg
Negative for injury, pain, and discharge, Neck: Negative for injury, pain, and swelling, Cardiovascular: Negative for chest pain, palpitations, and edema, Respiratory: Negative for shortness of breath, cough, wheezing, and pleuritic chest pain, Abdomen/GI: Negative for abdominal pain, nausea, vomiting, diarrhea, and constipation, Back: Negative for injury and pain, MS/Extremity: Negative for injury and deformity. All other systems are negative, except as documented below. Skin: Positive for laceration(s), of the face. Neuro: Negative for dizziness, headache, weakness. Psych: Negative for depression, alcohol dependence, homicidal ideation, suicide gesture.

Exam:
11/19
11:53 Eyes: Pupils equal round and reactive to light, extra-ocular motions eeg intact. Lids and lashes normal. Conjunctiva and sclera are non-icteric and not injected. Cornea within normal limits. Periorbital areas with no swelling, redness, or edema. ENT: Nares patent. No nasal discharge, no septal abnormalities noted. Tympanic membranes are normal and external auditory canals are clear. Oropharynx with no redness, swelling, or masses, exudates, or evidence of obstruction, uvula midline. Mucous membrane moist Neck: Trachea midline, no thyromegaly or masses palpated, and no cervical lymphadenopathy. Supple, full range of motion without nuchal rigidity, or vertebral point tenderness. No Meningismus. Chest/axilla: Normal chest wall appearance and motion. Nontender with no deformity. No lesions are appreciated. Cardiovascular: Regular rate and rhythm with a normal S1 and S2. ,no jvd No pulse deficits. Respiratory: Lungs have equal breath sounds bilaterally, clear to auscultation and percussion. No rales, rhonchi or wheezes noted. No increased work of breathing, no retractions or nasal flaring. Abdomen/GI: Soft, non-tender, with normal bowel sounds. No distension or tympany. No guarding or rebound. No evidence of tenderness throughout. Back: No spinal tenderness. No costovertebral tenderness. Full range of motion. MS/ Extremity: Pulses equal, no cyanosis. Neurovascular intact. Full, normal range of motion. Neuro: Awake and alert, GCS 15, oriented to person, place, time, and situation. Cranial nerves II-XII grossly intact. Motor strength 5/5 in all extremities. Sensory grossly intact. Cerebellar exam normal. Normal gait., slow, but appropriate Psych: Awake, alert, with orientation to person, place and time. Behavior, mood, and affect are within normal limits.
11:53 Constitutional: The patient appears alert, awake, non-diaphoretic.
11:53 Head/face: Noted is a laceration(s), that is linear, 3 cm(s).
11:53 Musculoskeletal/extremity: Extremities: all appear grossly normal, with no appreciated pain with palpation, ROM: intact in all extremities, Circulation is intact in all extremities. Sensation intact.
11:53 Psych: Behavior/mood is cooperative.

Vital Signs:
11/19

SOVAH HEALTH - MARTINSVILLE
320 HOSPITAL DRIVE - P.O. BOX 4788
MARTINSVILLE, VA 24112 (276)666-7360
CLIA NO. 49D0231853 RT CLIA NO. 4D0661287

RUN DATE:11/23/17

DISCHARGE SUMMARY FOR MEDICAL RECORDS FOR LABORATORY

Patient: HILL,BRIAN D #MM7805836274 **(Continued)**

**********CHEMISTRY**********

	Date 11/19/17 Time 1007			Reference	Units
BUN	7			(5-25)	MG/DL
CREATININE	1.01			(0.90-1.30)	MG/DL
eGFR NON-AA	102(A)				
eGFR AA	118(B)				
SODIUM	131 L			(135-145)	MMOL/L
POTASSIUM	4.4			(3.5-5.0)	MMOL/L
CHLORIDE	96 L			(98-109)	MMOL/L
CO2	26			(20-30)	MMOL/L
ANION GAP	9.0			(1-10)	
GLUCOSE	459(C) *H			(65-100)	MG/DL
CALCIUM	9.0			(8.5-10.3)	MG/DL
TOTAL PROTEIN	7.8			(6.0-8.0)	G/DL
ALBUMIN	4.3			(3.2-5.5)	G/DL
AG	1.2			(1.2-1.7)	RATIO
GLOBULIN	3.5			(2.5-3.9)	G/DL
T BILI	0.50			(0.20-1.00)	MG/DL
SGOT/AST	27			(10-42)	IU/L
SGPT/ALT	21			(10-60)	IU/L
ALK PHOS	74			(42-121)	IU/L
TSH	1.29			(0.34-5.60)	uIU/ML

(A) Non-African American

(B) African American.
eGFR UNITS: ml/min/1.73m2.
*eGFR >= 60 = Normal GFR or mild decrease in GFR
*eGFR 30-59 = Moderate decrease in GFR (Stage 3 CKD)
*eGFR 15-29 = Severe decrease in GFR (Stage 4 CKD)
*eGFR <15 = End-stage kidney failure (Stage 5 CKD)

The equation has not been validated in patients >70 YRS OLD.

(C) CRITICAL RESULTS CALLED ON 11/19/17
AT 1035 TO: RINDY LAPRADE/RB/CALLED X 2 SNCE 1035
BY: CLIFTON,LYDIA C

Patient: HILL,BRIAN D **Age/Sex:** 27/M **Acct#**MM7805836274 **Unit#**MM00370912

SOVAH HEALTH - MARTINSVILLE
RADIOLOGY DEPT
320 HOSPTIAL DR
MARTINSVILLE, VA 24112
PHONE #: 276-666-7223
FAX #: 276-666-7591

Name: HILL,BRIAN D
Phys: EKUBAN-GORDON,EDNA MD
DOB: 05/26/1990 Age: 27 Sex: M
Acct: MM7805836274 Loc: MM.ER
Exam Date: 11/19/2017 Status: DEP ER
Radiology No:
Unit No: MM00370912

EXAMS:
000898111 CHEST 1 VIEW - PORTABLE

EXAM REASON:
Chest Tightness

PORTABLE CHEST

HISTORY: Seizure.

COMPARISON: 11/10/2015

FINDINGS: The heart size and configuration are within normal limits for age and portable technique. The lungs are clear. There is no evidence of pleural effusions or pneumothorax. No acute bony abnormality.

IMPRESSION: No evidence of acute cardiopulmonary disease.

** Electronically Signed by MAROON B KHOURY on 11/19/2017 at 1424 **
Reported by: DR. MAROON B KHOURY
Signed by: KHOURY,MAROON B

CC: EDNA EKUBAN-GORDON MD

Technologist: KYLEA ANN KEATTS
Transcribed Date/Time: 11/19/2017 (1146)
Transcriptionist: MMTRSPSB
Orig Print D/T: S: 11/19/2017 (1424)
BATCH NO: N/A

PAGE 1 Signed Report

HILL, BRIAN ID: 000370912 19-Nov-2017 10:06:44 Memorial Hospital of Martinsville

27years
Male Caucasian

Room: 6
Loc: 15

Vent. rate	105 bpm
PR interval	158 ms
QRS duration	92 ms
QT/QTc	328/433 ms
P-R-T axes	64 64 52

Sinus tachycardia
Possible Left atrial enlargement
Borderline ECG

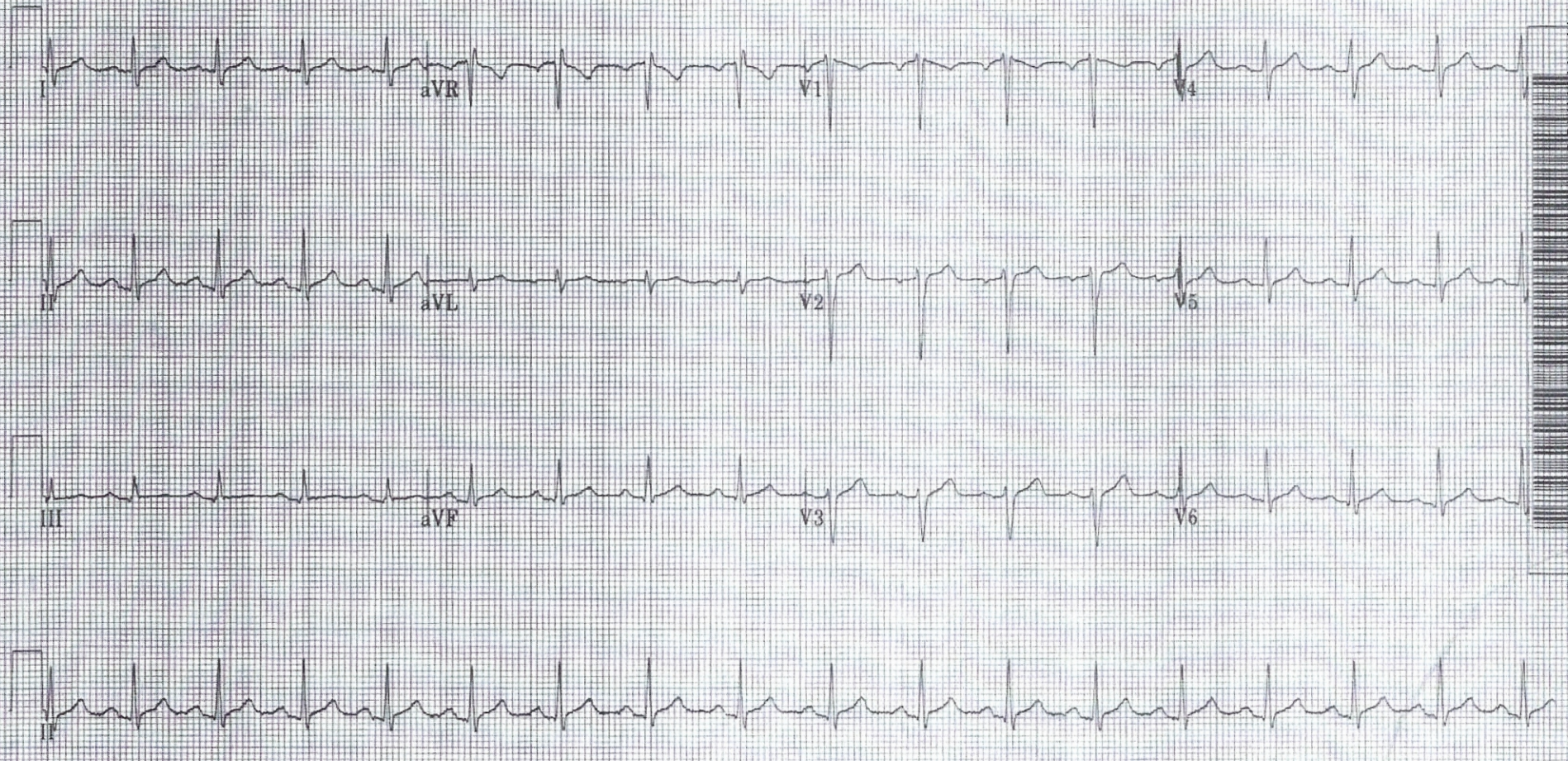
Time: 1007
Bed 6
Signature

T HILL,BRIAN D
MM7805836274 PRE ER MM.ER
11/19/17 0850 UNKNOWN,UNKNOWN
DOB:05/26/90 27 M MR# MM00370912
Sovah Health - Martinsville

Visit: MM7805836274
Secondary ID: MM216937
Referred by: EKUBAN-GORDON, EDNA

Order no.: 211490013
Unconfirmed

CHEST PAIN



100 Hz 25.0 mm/s 10.0 mm/mV 4 by 2.5s + 1 rhythm ld MAC55 010B 12SL™v241 HD

P/N 2009828-024 | GE Healthcare | PRINTED IN U.S.A.

EKG Scanned Page 1/1 MM00370912 SOVAH Health - Martinsville MM7805836274 Job 12468 (07/02/2019 14:03) - Page 35 Doc# 12

SOVAH HEALTH - MARTINSVILLE PAGE:1
320 HOSPITAL DRIVE - P.O. BOX 4788
MARTINSVILLE, VA 24112 (276)666-7360
CLIA NO. 49D0231853 RT CLIA NO. 4D0661287

RUN DATE:11/23/17

DISCHARGE SUMMARY FOR MEDICAL RECORDS FOR LABORATORY

CMAX: MM00370912~MM7805836274~LABDATA~20171123~LABDISMM1001869144~COCMMH~COCVAE~LAB.COCMMH~

PATIENT: HILL,BRIAN D **ACCT #:** MM7805836274 **LOC:** MM.ER **U #:** MM00370912
AGE/SX: 27/M **ROOM:** **REG:** 11/19/17
REG DR: EKUBAN-GORDON,EDNA MD **DOB:** 05/26/90 **BED:** **DIS:**
STATUS: DEP ER **TLOC:**

**********POINT OF CARE**********

Date	11/19/17			
Time	1006	0943	Reference	Units
POC GLU	429 H	435 H	(65-100)	MG/DL

**********HEMATOLOGY**********

Date	11/19/17		
Time	1007	Reference	Units
WBC	11.6 H	(4.5-11.0)	K/UL
RBC	5.32	(4.50-5.90)	M/UL
HGB	15.8	(14.0-17.5)	G/DL
HCT	46.0	(35.0-49.0)	%
MCV	86.5	(80-96)	UM3
MCH	29.7	(27-32)	PG
MCHC	34.3	(32-37)	G/DL
RDW	13.1	(11.5-14.5)	%
RDW-SD	41.1	(35.1-43.9)	fl
PLT	241	(140-440)	K/UL
MPV	10.8 H	(7.4-10.4)	fl
SEGS %	84 H	(37-80)	%
SEG ABSOLUTE	9.77 H	(1.5-6.8)	K/UL
LYMPH %	10	(10-50)	%
LYMPH ABSOLUTE	1.10	(1.0-4.0)	K/UL
MONO %	6	(0-12)	%
MONO ABSOLUTE	0.64	(0.2-1.0)	K/UL
EOS %	0	(0-7)	%
EOS ABSOLUTE	0.05	(0.0-0.5)	K/UL
BASO %	0	(0-2)	%
BASO ABSOLUTE	0.04	(0.0-0.2)	K/UL
IG %	0.3		%
IG ABSOLUTE	0.0	(0.0-0.1)	

Patient: HILL,BRIAN D **Age/Sex:** 27/M **Acct#**MM7805836274 **Unit#**MM00370912

09:08 BP 131 / 76; Pulse 118; Resp 20; Temp 98.2; Pulse Ox 97% ; Weight 91.63 kg; Height 5 ft. 10 in. (177.80 cm);	ll
11/19	
09:46	mkk
11/19	
10:59 BP 124 / 73; Pulse 93; Resp 18; Pulse Ox 100% on R/A;	mkk
11/19	
12:57 BP 119 / 67; Pulse 97; Resp 19; Pulse Ox 98% on R/A;	pt3
11/19	
09:08 Body Mass Index 28.98 (91.63 kg, 177.80 cm)	ll
11/19	
09:46 patient has OCD and had to do his "routines" prior to coming, has been about 4 hours since injury occured	mkk

Glasgow Coma Score:

11/19	
12:16 Eye Response: spontaneous(4). Verbal Response: oriented(5). Motor Response: obeys commands(6). Total: 15.	eeg

Laceration:

11/19	
12:11 Wound Repair of 3cm (1.2in) subcutaneous laceration to forehead. Linear shaped.. No foreign body noted. Distal neuro/vascular/tendon intact. Anesthesia: Wound infiltrated with 3 mls of 1% lidocaine w/ Epi. Wound prep: Simple cleansing with betadine. Skin closed with 6 1-0 Prolene using Staple gun. Dressed with pressure dressing. Patient tolerated well.	eeg

MDM:

11/19	
09:27 MSE Initiated by Provider.	eeg
11/19	
12:12 Differential diagnosis: abrasion, closed head injury, concussion, contusion, dislocation, fracture, laceration, multiple trauma, sprain, Substance abuse. Data reviewed: vital signs, nurses notes, lab test result(s), radiologic studies. Data interpreted: Cardiac monitor: Normal rate. Counseling: I had a detailed discussion with the patient and/or guardian regarding: the historical points, exam findings, and any diagnostic results supporting the discharge/admit diagnosis, lab results, radiology results, the need for outpatient follow up, to return to the emergency department if symptoms worsen or persist or if there are any questions or concerns that arise at home. Response to treatment: the patient's symptoms have markedly improved after treatment.	eeg
11/19	
09:46 Order name: POC GLU; Complete Time: 09:57	EDMS
11/19	
09:56 Order name: CMP; Complete Time: 10:53	eeg
11/19	
09:56 Order name: Complete Blood Count W/auto Diff; Complete Time: 10:53	eeg
11/19	
09:56 Order name: Thyroid Stimulating Hormone; Complete Time: 10:53	eeg
11/19	

11/19/17 12:14 Discharged to Home. Impression: Head Laceration/ Open wound of head, Hyperglycemia, unspecified.
- Condition is Stable.
- Discharge Instructions: Head Injury, Adult, Facial Laceration, Hyperglycemia, Easy-to-Read, Stitches, Staples, or Adhesive Wound Closure, Easy-to-Read.

- Medication Reconciliation form.
- Follow up: Private Physician; When: 2 - 3 days; Reason: Wound Recheck.
- Problem is new.
- Symptoms have improved.

Order Results:
Lab Order: POC GLU; SPEC'M 11/19/17 09:46
Test: POC GLU; Value: 435; Range: 65-100; Abnormal: Above high normal; Units: MG/DL; Status: F; Updated: 11/19 09:46
Lab Order: CMP; SPEC'M 11/19/17 10:11
Test: SODIUM; Value: 131; Range: 135-145; Abnormal: Below low normal; Units: MMOL/L; Status: F; Updated: 11/19 10:24
Test: POTASSIUM; Value: 4.4; Range: 3.5-5.0; Abnormal: ; Units: MMOL/L; Status: F; Updated: 11/19 10:24
Test: CHLORIDE; Value: 96; Range: 98-109; Abnormal: Below low normal; Units: MMOL/L; Status: F; Updated: 11/19 10:24
Test: CARBON DIOXIDE; Value: 26; Range: 20-30; Abnormal: ; Units: MMOL/L; Status: F; Updated: 11/19 10:24
Test: ANION GAP; Value: 9.0; Range: 1-10; Abnormal: ; Status: F; Updated: 11/19 10:24
Test: CALCIUM; Value: 9.0; Range: 8.5-10.3; Abnormal: ; Units: MG/DL; Status: F; Updated: 11/19 10:24
Test: BLOOD UREA NITROGEN; Value: 7; Range: 5-25; Abnormal: ; Units: MG/DL; Status: F; Updated: 11/19 10:34
Test: CREATININE; Value: 1.01; Range: 0.90-1.30; Abnormal: ; Units: MG/DL; Status: F; Updated: 11/19 10:34
Test: GLOMERULAR FILTRATION RATE; Value: 102; Abnormal: ; Status: F; Updated: 11/19 10:34
Test Note: 11/19 10:34 T nbsp;; Non-African American
Test: GLOMERULAR FILTRATION RATE-AA; Value: 118; Abnormal: ; Status: F; Updated: 11/19 10:34
Test Note: 11/19 10:34 T nbsp;; African American. eGFR UNITS: ml/min/1.73m2. *eGFR >= 60 = Normal GFR or mild decrease in GFR *eGFR 30-59 = Moderate decrease in GFR (Stage 3 CKD) *eGFR 15-29 = Severe decrease in GFR (Stage 4 CKD) *eGFR <15 = End-stage kidney failure (Stage 5 CKD) The equation has not been validated in patients >70 YRS OLD.
Test: TOTAL PROTEIN; Value: 7.8; Range: 6.0-8.0; Abnormal: ; Units: G/DL; Status: F; Updated: 11/19 10:34

Test: ALBUMIN; Value: 4.3; Range: 3.2-5.5; Abnormal: ; Units: G/DL; Status: F; Updated: 11/19 10:34
Test: ALB/GLOB RATIO; Value: 1.2; Range: 1.2-1.7; Abnormal: ; Units: RATIO; Status: F; Updated: 11/19 10:34
Test: GLOBULIN; Value: 3.5; Range: 2.5-3.9; Abnormal: ; Units: G/DL;

Status: F; Updated: 11/19 10:34
Test: BILIRUBIN, TOTAL; Value: 0.50; Range: 0.20-1.00; Abnormal: ;
Units: MG/DL; Status: F; Updated: 11/19 10:34
Test: SGOT/AST; Value: 27; Range: 10-42; Abnormal: ; Units: IU/L;
Status: F; Updated: 11/19 10:34
Test: SGPT/ALT; Value: 21; Range: 10-60; Abnormal: ; Units: IU/L;
Status: F; Updated: 11/19 10:34
Test: ALKALINE PHOSPHATASE; Value: 74; Range: 42-121; Abnormal: ;
Units: IU/L; Status: F; Updated: 11/19 10:34
Test: GLUCOSE, SERUM; Value: 459; Range: 65-100; Abnormal: Above
upper panic limits; Units: MG/DL; Status: F; Updated: 11/19 10:39
Test Note: 11/19 10:39 T nbsp;; CRITICAL RESULTS CALLED ON 11/19/17 AT
1035 TO: RINDY LAPRADE/RB/CALLED X 2 SNCE 1035 BY: CLIFTON,LYDIA C
Lab Order: Complete Blood Count W/auto Diff; SPEC'M 11/19/17 10:11
Test: WHITE BLOOD CELL; Value: 11.6; Range: 4.5-11.0; Abnormal: Above
high normal; Units: K/UL; Status: F; Updated: 11/19 10:18
Test: RED BLOOD CELL; Value: 5.32; Range: 4.50-5.90; Abnormal: ;
Units: M/UL; Status: F; Updated: 11/19 10:18
Test: HEMOGLOBIN; Value: 15.8; Range: 14.0-17.5; Abnormal: ; Units:
G/DL; Status: F; Updated: 11/19 10:18
Test: HEMATOCRIT; Value: 46.0; Range: 35.0-49.0; Abnormal: ; Units:
%; Status: F; Updated: 11/19 10:18
Test: MEAN CELL VOLUME; Value: 86.5; Range: 80-96; Abnormal: ; Units:
UM3; Status: F; Updated: 11/19 10:18
Test: MCH; Value: 29.7; Range: 27-32; Abnormal: ; Units: PG; Status:
F; Updated: 11/19 10:18
Test: MCHC; Value: 34.3; Range: 32-37; Abnormal: ; Units: G/DL;
Status: F; Updated: 11/19 10:18
Test: RELL CELL DISTRIBUTION WIDTH; Value: 13.1; Range: 11.5-14.5;
Abnormal: ; Units: %; Status: F; Updated: 11/19 10:18
Test: RDW STANDARD DEVIATION; Value: 41.1; Range: 35.1-43.9;
Abnormal: ; Units: fl; Status: F; Updated: 11/19 10:18
Test: PLATELETS; Value: 241; Range: 140-440; Abnormal: ; Units: K/UL;
Status: F; Updated: 11/19 10:18
Test: MEAN PLATELET VOLUME; Value: 10.8; Range: 7.4-10.4; Abnormal:
Above high normal; Units: fl; Status: F; Updated: 11/19 10:18
Test: SEGMENTED NEUTROPHIL PERCENT; Value: 84; Range: 37-80;
Abnormal: Above high normal; Units: %; Status: F; Updated: 11/19 10:18
Test: SEGMENTED NEUTROPHIL ABSOLUTE; Value: 9.77; Range: 1.5-6.8;
Abnormal: Above high normal; Units: K/UL; Status: F; Updated: 11/19
10:18
Test: LYMPHOCYTE PERCENT; Value: 10; Range: 10-50; Abnormal: ; Units:
%; Status: F; Updated: 11/19 10:18
Test: LYMPHOCYTES ABSOLUTE; Value: 1.10; Range: 1.0-4.0; Abnormal: ;
Units: K/UL; Status: F; Updated: 11/19 10:18
Test: MONOCYTE PERCENT; Value: 6; Range: 0-12; Abnormal: ; Units: %;
Status: F; Updated: 11/19 10:18
Test: MONOCYTE ABSOLUTE COUNT; Value: 0.64; Range: 0.2-1.0; Abnormal:

; Units: K/UL; Status: F; Updated: 11/19 10:18
Test: EOSINOPHIL PERCENT; Value: 0; Range: 0-7; Abnormal: ; Units: %;
Status: F; Updated: 11/19 10:18
Test: EOSINOPHIL ABSOLUTE; Value: 0.05; Range: 0.0-0.5; Abnormal: ;
Units: K/UL; Status: F; Updated: 11/19 10:18
Test: BASOPHIL PERCENT; Value: 0; Range: 0-2; Abnormal: ; Units: %;

Status: F; Updated: 11/19 10:18
Test: BASOPHIL ABSOLUTE; Value: 0.04; Range: 0.0-0.2; Abnormal: ;
Units: K/UL; Status: F; Updated: 11/19 10:18
Test: IMMATURE GRANS PERCENT; Value: 0.3; Abnormal: ; Units: %;
Status: F; Updated: 11/19 10:18
Test: IMMATURE GRANS ABSOLUTE; Value: 0.0; Range: 0.0-0.1; Abnormal:
; Status: F; Updated: 11/19 10:18
Lab Order: Thyroid Stimulating Hormone; SPEC'M 11/19/17 10:11
Test: THYROID STIMULATING HORMONE; Value: 1.29; Range: 0.34-5.60;
Abnormal: ; Units: uIU/ML; Status: F; Updated: 11/19 10:48
Lab Order: POC GLU; SPEC'M 11/19/17 10:13
Test: POC GLU; Value: 429; Range: 65-100; Abnormal: Above high
normal; Units: MG/DL; Status: F; Updated: 11/19 10:13

Radiology Order: Chest 1 View - Portable
Test: Chest 1 View - Portable
SOVAH HEALTH - MARTINSVILLE Name: HILL,BRIAN D ; RADIOLOGY DEPT Phys:
EKUBAN-GORDON,EDNA MD ; 320 HOSPTIAL DR DOB: 05/26/1990 Age: 27 Sex:
M ; MARTINSVILLE, VA 24112 Acct: MM7805836274 Loc: MM.ER ; PHONE #:
276-666-7223 Exam Date: 11/19/2017 Status: DEP ER ; FAX #:
276-666-7591 Radiology No: ; Unit No: MM00370912 ; EXAMS: EXAM
REASON: ; 000898111 CHEST 1 VIEW - PORTABLE Chest Tightness ;
PORTABLE CHEST ; HISTORY: Seizure. ; COMPARISON: 11/10/2015 ;
FINDINGS: The heart size and configuration are within normal limits ;
for age and portable technique. The lungs are clear. There is no ;
evidence of pleural effusions or pneumothorax. No acute bony ;
abnormality. ; IMPRESSION: No evidence of acute cardiopulmonary
disease. ; ** Electronically Signed by MAROON B KHOURY on 11/19/2017
at 1424 ** ; Reported by: DR. MAROON B KHOURY ; Signed by:
KHOURY,MAROON B ; ; CC: EDNA EKUBAN-GORDON MD ; ; Technologist: KYLEA
ANN KEATTS ; Transcribed Date/Time: 11/19/2017 (1146) ;
Transcriptionist: MMTRSPSB ; Orig Print D/T: S: 11/19/2017 (1424) ;
Reprint D/T: 11/19/2017 (1424) BATCH NO: N/A ;
Radiology Order: CT Head w/o Contrast
Test: CT Head w/o Contrast
SOVAH HEALTH - MARTINSVILLE Name: HILL,BRIAN D ; RADIOLOGY DEPT Phys:
EKUBAN-GORDON,EDNA MD ; 320 HOSPTIAL DR DOB: 05/26/1990 Age: 27 Sex:
M ; MARTINSVILLE, VA 24112 Acct: MM7805836274 Loc: MM.ER ; PHONE #:
276-666-7223 Exam Date: 11/19/2017 Status: DEP ER ; FAX #:
276-666-7591 Radiology No: ; Unit No: MM00370912 ; EXAMS: EXAM
REASON: ; 000898114 CT HEAD W/O CONTRAST ; UNENHANCED HEAD CT ;
HISTORY: Head injury. ; COMPARISON: 11/10/2015 ; TECHNIQUE: This CT
examination was performed using one or more of the ; following dose
reduction techniques: automated exposure control, ; adjustment of the
MA and/or KV according to patient size, and/or use ; of iterative
reconstruction techniques. ; Axial CT images were obtained through
the brain without the use of ; intravenous contrast. ; FINDINGS:

There is no evidence of acute infarct, intracranial ; hemorrhage, or
mass effect. Ventricles and sulci are normal for the ; patient's age.
Calvarium is intact. Visualized portions of the ; paranasal sinuses
and orbits are normal. ; IMPRESSION: Negative for acute intracranial
process. ; ** Electronically Signed by MAROON B KHOURY on 11/19/2017
at 1424 ** ; Reported by: DR. MAROON B KHOURY ; Signed by:
KHOURY,MAROON B ; ; CC: EDNA EKUBAN-GORDON MD ; ; Technologist:

HILL,BRIAN D
MM7805836274 PRE ER MM.ER
11/19/17 0850 UNKNOWN,UNKNOWN
DOB:05/26/90 27 M MR# MM00370912
Sovah Health - Martinsville

Sovah Health Martinsville

320 Hospital Drive
Martinsville, VA 24112
276-666-7237

11/9/67
97
98%
18

Emergency Department Instructions for: **Hill, Brian D**

Arrival Date: **Sunday, November 19, 2017**

Thank you for choosing **Sovah Health Martinsville** for your care today. The examination and treatment you have received in the Emergency Department today have been rendered on an emergency basis only and are not intended to be a substitute for an effort to provide complete medical care. You should contact your follow-up physician as it is important that you let him or her check you and report any new or remaining problems since it is impossible to recognize and treat all elements of an injury or illness in a single emergency care center visit.

Care provided by: Ekuban-Gordon, Edna, MD

Diagnosis: Head Laceration/ Open wound of head; Hyperglycemia, unspecified

DISCHARGE INSTRUCTIONS	FORMS
Head Injury, Adult Facial Laceration Hyperglycemia, Easy-to-Read Stitches, Staples, or Adhesive Wound Closure, Easy-to-Read	Medication Reconciliation
FOLLOW UP INSTRUCTIONS	**PRESCRIPTIONS**
Private Physician When: 2 - 3 days; Reason: Wound Recheck	None
SPECIAL NOTES	
None	

Suicide National Hotline: 1-800-273-8255 (800-273-TALK)

If you received a narcotic or sedative medication during your Emergency Department stay you should not drive, drink alcohol or operate heavy machinery for the next 8 hours as this medication can cause drowsiness, dizziness, and decrease your response time to events.

I hereby acknowledge that I have received a copy of my transition care record and understand the above instructions and prescriptions.

Brian D. Hill

Brian Hill
MRN # MM00370912

Bell Thornton, RN

ED Physician or Nurse
11/19/2017 12:14

X-RAYS and LAB TESTS:
If you had x-rays today they were read by the emergency physician. Your x-rays will also be read by a radiologist within 24 hours. If you

had a culture done it will take 24 to 72 hours to get the results. If there is a change in the x-ray diagnosis or a positive culture, we will contact you. Please verify your current phone number prior to discharge at the check out desk.

MEDICATIONS:
If you received a prescription for medication(s) today, it is important that when you fill this you let the pharmacist know all the other medications that you are on and any allergies you might have. It is also important that you notify your follow-up physician of all your medications including the prescriptions you may receive today.

TESTS AND PROCEDURES

Labs
CMP, Complete Blood Count W/auto Diff, Thyroid Stimulating Hormone, POC GLU, POC GLU

Rad
CT Head w/o Contrast, Chest 1 View - Portable

Procedures
Blood Sugar, 12 Lead EKG, Laceration

Other
Seizure precautions, Accucheck, Cardiac Monitor, Apply to Pt, Pulse ox continuous, Oxygen at 2 L/NC, IV saline lock, EKG ED, Laceration repair set up

Chart Copy

HILL,BRIAN D
MM7805836274 PRE ER MM,ER
11/19/17 0850 UNKNOWN,UNKNOWN
DOB:05/26/90 27 M MR# MM00370912
Sovah Health - Martinsville

EMERGENCY DEPARTMENT RECORD
Nurse's Notes
Sovah Health Martinsville
Name: Brian Hill
Age: 27 yrs
Sex: Male
DOB: 05/26/1990
MRN: MM00370912
Arrival Date: 11/19/2017
Time: 08:51
Account#: MM7805836274
Bed ER 6
Private MD:
Diagnosis: Head Laceration/ Open wound of head;Hyperglycemia, unspecified

Presentation:
11/19
09:08 Presenting complaint: Patient states: had a seizure this morning due to low blood sugar, laceration to head per pt, bleeding controlled. Airway is patent with good air movement. The patient is breathing without difficulty. The patient is pink,warm and dry. Heart rate is within normal limits. Patient is alert and oriented to person, place and time, Patient is moving all extremities appropriately. ll
11/19
09:08 Acuity: Urgent (3) ll

Historical:
- Allergies: Ranitidine;
- Home Meds:
1. Unable to Obtain
- PMHx: OCD; autism; Diabetes - IDDM;
- Sepsis Screening:: Sepsis screening negative at this time.
- Social history:: Tobacco Status: The patient states he/she has never used tobacco. The patient's primary language is English. The patient's preferred language is English.
- Family history:: Reviewed and not pertinent.
- Exposure Risk/Travel Screening:: Patient has not been out of the country in last 30 days. Have you been in contact with anyone who is ill that has traveled outside of the country in the last 30 days? No.
- Suicide Screening:: Have you recently had thoughts about hurting yourself or others? No.
- Tuberculosis screening:: No symptoms or risk factors identified.

Screening:
11/19
09:41 Fall Risk: Total Points: Med. Risk (25-44);. Abuse Screen: Patient verbally denies physical, verbal and emotional abuse/neglect. There are no cultural/spiritual considerations for care for this patient. mkk

Assessment:
11/19

09:38 Complains of pain in face Pain does not radiate. Pain currently is 7 mkk

out of 10 on a pain scale. The level of pain that is acceptable is 0 out of 10 on a pain scale. General: Appears in no apparent distress, comfortable, well developed, well nourished, well groomed, Behavior is appropriate for age, cooperative, pleasant. Neuro: Reports headache. Neuro: Reports seizure due to low blood sugar. EENT: Denies. Cardiovascular: Denies. Respiratory: Denies. GI: Denies. GU: Denies. Derm: Denies. Musculoskeletal: Denies. Injury Description: Laceration sustained to face is clean, 0.5 to 2.5 cm long, not bleeding, was sustained 4-6 hours ago.

11/19
09:38 Method Of Arrival: EMS mkk

Vital Signs:
11/19
09:08 BP 131 / 76; Pulse 118; Resp 20; Temp 98.2; Pulse Ox 97% ; Weight 91.63 kg; Height 5 ft. 10 in. (177.80 cm); ll
11/19
09:46 mkk
11/19
10:59 BP 124 / 73; Pulse 93; Resp 18; Pulse Ox 100% on R/A; mkk
11/19
12:57 BP 119 / 67; Pulse 97; Resp 19; Pulse Ox 98% on R/A; pt3
11/19
09:08 Body Mass Index 28.98 (91.63 kg, 177.80 cm) ll
11/19
09:46 patient has OCD and had to do his "routines" prior to coming, has been about 4 hours since injury occured mkk

Glasgow Coma Score:
11/19
12:16 Eye Response: spontaneous(4). Verbal Response: oriented(5). Motor Response: obeys commands(6). Total: 15. eeg

ED Course:
11/19
08:51 Patient arrived in ED. knm
11/19
09:09 Rapid Initial Assessment completed. ll
11/19
09:27 Ekuban-Gordon, Edna, MD is Attending Physician. eeg
11/19
09:41 Patient has correct armband on for positive identification. Placed in gown. Bed in low position. Call light in reach. Side rails up X2. Adult with patient. Seizure precautions initiated. NIBP on. Pulse ox on. mkk
11/19
09:41 No physician assisted procedures were completed. mkk
11/19
10:01 Inserted saline lock: 20 gauge right arm blood drawn from IV and sent to lab per order. mkk
11/19
10:08 EKG Done By ED Tech 10:06 Reviewed by Physician Edna Ekuban-Gordon MD.bh

11/19
10:40 Critical Lab Value: Patient Name verified: Brian Hill, Patient DOB ll

Verified May 26, 1990 Critical value glucose 459reported read back to reporting lab personnel, and reported to Dr. Edna Ekuban-Gordon MD.
11/19
10:59 Assist provider with laceration repair Set up tray. mkk
11/19
11:53 Troncoso, Priscilla, RN is Primary Nurse. pt3

Administered Medications:
11/19
10:59 Drug: NS 0.9% 1000 ml Route: IV; Rate: 999 mL/hr; Site: right arm; mkk
11/19
12:59 Follow up: Response: No adverse reaction; IV Status: Completed infusion pt3
11/19
11:02 Drug: NovoLIN R 7 units {Co-Signature: mkk (Michaela Karet RN).} Route: IVP; Site: right arm; ll
11/19
12:58 Follow up: Response: No adverse reaction pt3

Point of Care Testing:
Blood Glucose:
11/19
09:40 Glucose Value: 489; mkk
11/19
09:43 Glucose Value: 435; mkk
11/19
09:40 test repeated mkk
Ranges:

Output:
11/19
11:28 Urine: 600ml (Voided); Total: 600ml. dab

Outcome:
11/19
12:14 Discharge ordered by Provider. eeg
11/19
12:57 Discharged to home ambulatory, with family. pt3
12:57 Instructions given to patient, parent, Instructed on discharge instructions. follow up and referral plans. . Patient and/or family voiced understanding of instructions using teach back method.
12:57 The patients' shirt, pants, shoes, socks and underwear were sent with the patient.
12:57 Discharge Assessment: Patient
12:57 Discharge Assessment: Patient has no functional deficits.
12:57 Discontinued IV lock intact, bleeding controlled, pressure dressing applied, No redness/swelling at site.
11/19
13:24 Patient left the ED. jkp

Signatures:

Harrison, Rindi, RN	RN	ll
Ekuban-Gordon, Edna, MD	MD	eeg

EMERGENCY DEPARTMENT RECORD
Physician Documentation
Sovah Health Martinsville
Name: Brian Hill
Age: 27 yrs
Sex: Male
DOB: 05/26/1990
MRN: MM00370912
Arrival Date: 11/19/2017
Time: 08:51
Account#: MM7805836274
Bed ER 6
Private MD:
ED Physician Ekuban-Gordon, Edna
HPI:
11/19
11:49 This 27 yrs old White Male presents to ER via EMS with complaints of Fall Injury. eeg
11/19
11:49 Onset: The symptoms/episode began/occurred today. Associated injuries: The patient sustained injury to the head. Associated signs and symptoms: Loss of consciousness: the patient experienced no loss of consciousness. Severity of symptoms: in the emergency department the symptoms are unchanged. Pain Management: Patient denies pain. The patient has experienced similar episodes in the past, a few times. The patient has not recently seen a physician. Family report history of low blood sugar, general low will have seizure episode when the blood sugar is low. Blood sugar was obtained by mom at 20 repeat 40 was subsequently given some oral glucose and brought here for further evaluation. Patient denies any headache palpitation no neck pain and stiffness. Admits to feeling like himself.. eeg

Historical:
- Allergies: Ranitidine;
- Home Meds:
1. Unable to Obtain
- PMHx: OCD; autism; Diabetes - IDDM;
- Sepsis Screening:: Sepsis screening negative at this time.
- Social history:: Tobacco Status: The patient states he/she has never used tobacco. The patient's primary language is English. The patient's preferred language is English.
- Family history:: Reviewed and not pertinent.
- Exposure Risk/Travel Screening:: Patient has not been out of the country in last 30 days. Have you been in contact with anyone who is ill that has traveled outside of the country in the last 30 days? No.
- Suicide Screening:: Have you recently had thoughts about hurting yourself or others? No.
- Tuberculosis screening:: No symptoms or risk factors identified.
- The history from nurses notes was reviewed: and I agree with what is documented up to this point.

ROS:

11/19
11:52 Eyes: Negative for injury, pain, redness, and discharge, ENT: eeg
Negative for injury, pain, and discharge, Neck: Negative for injury, pain, and swelling, Cardiovascular: Negative for chest pain, palpitations, and edema, Respiratory: Negative for shortness of breath, cough, wheezing, and pleuritic chest pain, Abdomen/GI: Negative for abdominal pain, nausea, vomiting, diarrhea, and constipation, Back: Negative for injury and pain, MS/Extremity: Negative for injury and deformity. All other systems are negative, except as documented below. Skin: Positive for laceration(s), of the face. Neuro: Negative for dizziness, headache, weakness. Psych: Negative for depression, alcohol dependence, homicidal ideation, suicide gesture.

Exam:
11/19
11:53 Eyes: Pupils equal round and reactive to light, extra-ocular motions eeg
intact. Lids and lashes normal. Conjunctiva and sclera are non-icteric and not injected. Cornea within normal limits. Periorbital areas with no swelling, redness, or edema. ENT: Nares patent. No nasal discharge, no septal abnormalities noted. Tympanic membranes are normal and external auditory canals are clear. Oropharynx with no redness, swelling, or masses, exudates, or evidence of obstruction, uvula midline. Mucous membrane moist Neck: Trachea midline, no thyromegaly or masses palpated, and no cervical lymphadenopathy. Supple, full range of motion without nuchal rigidity, or vertebral point tenderness. No Meningismus. Chest/axilla: Normal chest wall appearance and motion. Nontender with no deformity. No lesions are appreciated. Cardiovascular: Regular rate and rhythm with a normal S1 and S2. ,no jvd No pulse deficits. Respiratory: Lungs have equal breath sounds bilaterally, clear to auscultation and percussion. No rales, rhonchi or wheezes noted. No increased work of breathing, no retractions or nasal flaring. Abdomen/GI: Soft, non-tender, with normal bowel sounds. No distension or tympany. No guarding or rebound. No evidence of tenderness throughout. Back: No spinal tenderness. No costovertebral tenderness. Full range of motion. MS/ Extremity: Pulses equal, no cyanosis. Neurovascular intact. Full, normal range of motion. Neuro: Awake and alert, GCS 15, oriented to person, place, time, and situation. Cranial nerves II-XII grossly intact. Motor strength 5/5 in all extremities. Sensory grossly intact. Cerebellar exam normal. Normal gait., slow, but appropriate Psych: Awake, alert, with orientation to person, place and time. Behavior, mood, and affect are within normal limits.
11:53 Constitutional: The patient appears alert, awake, non-diaphoretic.
11:53 Head/face: Noted is a laceration(s), that is linear, 3 cm(s).
11:53 Musculoskeletal/extremity: Extremities: all appear grossly normal, with no appreciated pain with palpation, ROM: intact in all extremities, Circulation is intact in all extremities. Sensation intact.
11:53 Psych: Behavior/mood is cooperative.

Vital Signs:
11/19

SOVAH HEALTH - MARTINSVILLE PAGE:2
320 HOSPITAL DRIVE - P.O. BOX 4788
MARTINSVILLE, VA 24112 (276)666-7360
CLIA NO. 49D0231853 RT CLIA NO. 4D0661287

RUN DATE:11/23/17
DISCHARGE SUMMARY FOR MEDICAL RECORDS FOR LABORATORY

Patient: HILL,BRIAN D #MM7805836274 **(Continued)**

**********CHEMISTRY**********

	Date 11/19/17 Time 1007			Reference	Units
BUN	7			(5-25)	MG/DL
CREATININE	1.01			(0.90-1.30)	MG/DL
eGFR NON-AA	102(A)				

(A) Non-African American

eGFR AA	118(B)				

(B) African American.
eGFR UNITS: ml/min/1.73m2.
*eGFR >= 60 = Normal GFR or mild decrease in GFR
*eGFR 30-59 = Moderate decrease in GFR (Stage 3 CKD)
*eGFR 15-29 = Severe decrease in GFR (Stage 4 CKD)
*eGFR <15 = End-stage kidney failure (Stage 5 CKD)

The equation has not been validated in patients >70 YRS OLD.

SODIUM	131 L			(135-145)	MMOL/L
POTASSIUM	4.4			(3.5-5.0)	MMOL/L
CHLORIDE	96 L			(98-109)	MMOL/L
CO2	26			(20-30)	MMOL/L
ANION GAP	9.0			(1-10)	
GLUCOSE	459(C) *H			(65-100)	MG/DL

(C) CRITICAL RESULTS CALLED ON 11/19/17
AT 1035 TO: RINDY LAPRADE/RB/CALLED X 2 SNCE 1035
BY: CLIFTON,LYDIA C

CALCIUM	9.0			(8.5-10.3)	MG/DL
TOTAL PROTEIN	7.8			(6.0-8.0)	G/DL
ALBUMIN	4.3			(3.2-5.5)	G/DL
AG	1.2			(1.2-1.7)	RATIO
GLOBULIN	3.5			(2.5-3.9)	G/DL
T BILI	0.50			(0.20-1.00)	MG/DL
SGOT/AST	27			(10-42)	IU/L
SGPT/ALT	21			(10-60)	IU/L
ALK PHOS	74			(42-121)	IU/L
TSH	1.29			(0.34-5.60)	uIU/ML

Patient: HILL,BRIAN D **Age/Sex:** 27/M **Acct#**MM7805836274 **Unit#**MM00370912

SOVAH HEALTH - MARTINSVILLE
RADIOLOGY DEPT
320 HOSPTIAL DR
MARTINSVILLE, VA 24112
PHONE #: 276-666-7223
FAX #: 276-666-7591

Name: HILL,BRIAN D
Phys: EKUBAN-GORDON,EDNA MD
DOB: 05/26/1990 Age: 27 Sex: M
Acct: MM7805836274 Loc: MM.ER
Exam Date: 11/19/2017 Status: DEP ER
Radiology No:
Unit No: MM00370912

EXAMS:
000898111 CHEST 1 VIEW - PORTABLE

EXAM REASON:
Chest Tightness

PORTABLE CHEST

HISTORY: Seizure.

COMPARISON: 11/10/2015

FINDINGS: The heart size and configuration are within normal limits for age and portable technique. The lungs are clear. There is no evidence of pleural effusions or pneumothorax. No acute bony abnormality.

IMPRESSION: No evidence of acute cardiopulmonary disease.

** Electronically Signed by MAROON B KHOURY on 11/19/2017 at 1424 **
Reported by: DR. MAROON B KHOURY
Signed by: KHOURY,MAROON B

CC: EDNA EKUBAN-GORDON MD

Technologist: KYLEA ANN KEATTS
Transcribed Date/Time: 11/19/2017 (1146)
Transcriptionist: MMTRSPSB
Orig Print D/T: S: 11/19/2017 (1424)
BATCH NO: N/A

PAGE 1 Signed Report

HILL, BRIAN ID: 000370912 19-Nov-2017 10:06:44 Memorial Hospital of Martinsville

27years
Male Caucasian

Room: 6
Loc: 15

Vent. rate	105 bpm
PR interval	158 ms
QRS duration	92 ms
QT/QTc	328/433 ms
P-R-T axes	64 64 52

Sinus tachycardia
Possible Left atrial enlargement
Borderline ECG

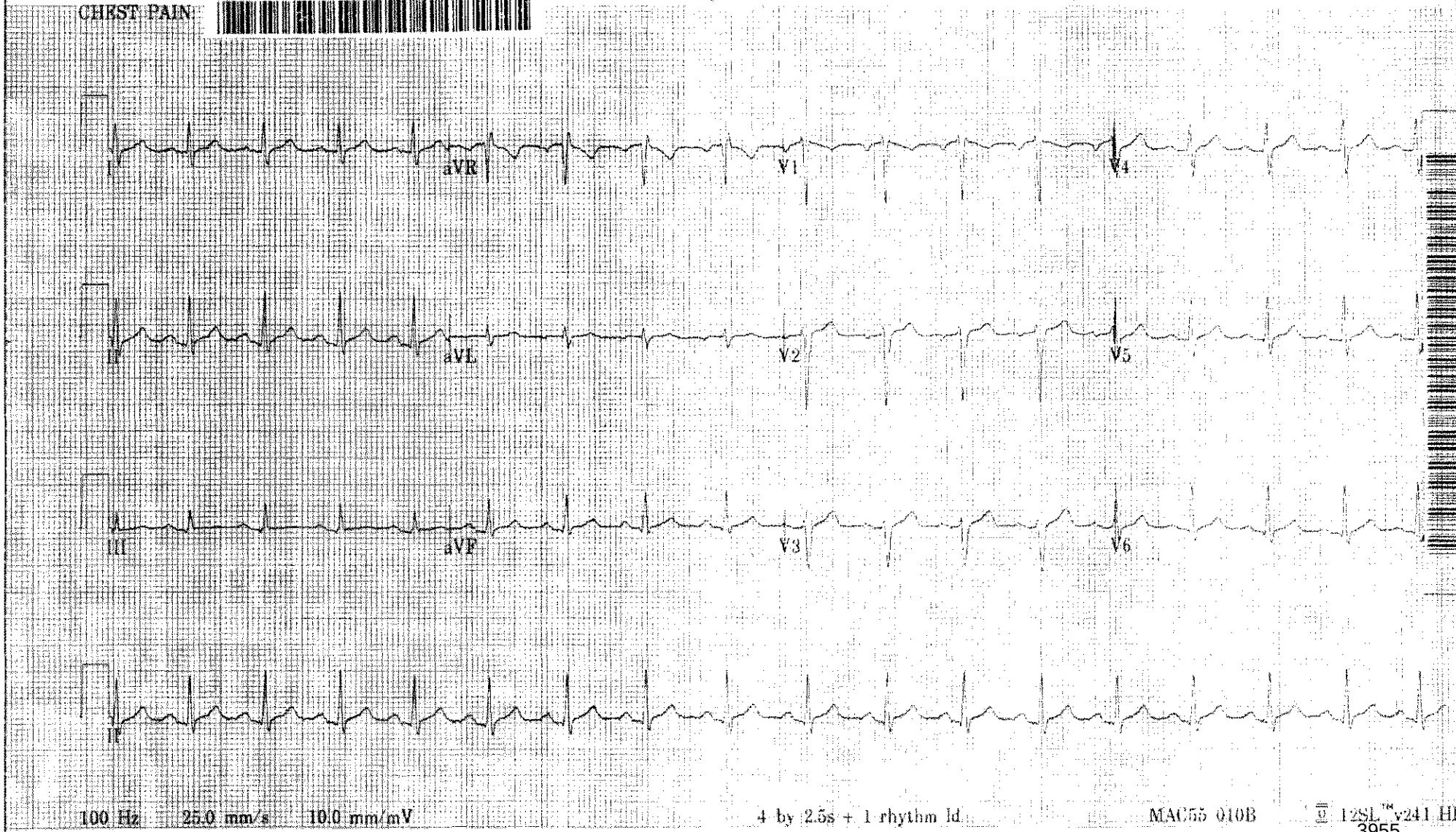
(007)
Bed 6

T HILL,BRIAN D
MM7805836274 PRE ER MM.ER
11/19/17 0850 UNKNOWN,UNKNOWN
DOB:05/26/90 27 M MR# MM0037091Z
Sovah Health - Martinsville

Visit: MM7805836274
Secondary ID: MM216937
Referred by: EKUBAN-GORDON, EDNA

Order no.: 211090013
Unconfirmed

CHEST PAIN



100 Hz 25.0 mm/s 10.0 mm/mV 4 by 2.5s + 1 rhythm ld MAC55 010B 12SL™v241 HD

P/N 2009628-024

EKG - Scanned - Page 1/1 Job:12468 (07/02/2019 14:03) - Page 35 Doc# 1
Sovah Health - Martinsville
MM7805836274 11/19/2017 10:06:44

SOVAH HEALTH - MARTINSVILLE PAGE:1
320 HOSPITAL DRIVE - P.O. BOX 4788
MARTINSVILLE, VA 24112 (276)666-7360
CLIA NO. 49D0231853 RT CLIA NO. 4D0661287

RUN DATE:11/23/17

DISCHARGE SUMMARY FOR MEDICAL RECORDS FOR LABORATORY

CMAX: MM00370912~MM7805836274~LABDATA~20171123~LABDISMM1001869144~COCMMH~COCVAE~LAB.COCMMH~

PATIENT: HILL,BRIAN D
ACCT #: MM7805836274 **LOC:** MM.ER **U #:** MM00370912
AGE/SX: 27/M **ROOM:** **REG:** 11/19/17
REG DR: EKUBAN-GORDON,EDNA MD **DOB:** 05/26/90 **BED:** **DIS:**
STATUS: DEP ER **TLOC:**

**********POINT OF CARE**********

Date	11/19/17			
Time	1006	0943	Reference	Units
POC GLU	429 H	435 H	(65-100)	MG/DL

**********HEMATOLOGY**********

Date	11/19/17		
Time	1007	Reference	Units
WBC	11.6 H	(4.5-11.0)	K/UL
RBC	5.32	(4.50-5.90)	M/UL
HGB	15.8	(14.0-17.5)	G/DL
HCT	46.0	(35.0-49.0)	%
MCV	86.5	(80-96)	UM3
MCH	29.7	(27-32)	PG
MCHC	34.3	(32-37)	G/DL
RDW	13.1	(11.5-14.5)	%
RDW-SD	41.1	(35.1-43.9)	fl
PLT	241	(140-440)	K/UL
MPV	10.8 H	(7.4-10.4)	fl
SEGS %	84 H	(37-80)	%
SEG ABSOLUTE	9.77 H	(1.5-6.8)	K/UL
LYMPH %	10	(10-50)	%
LYMPH ABSOLUTE	1.10	(1.0-4.0)	K/UL
MONO %	6	(0-12)	%
MONO ABSOLUTE	0.64	(0.2-1.0)	K/UL
EOS %	0	(0-7)	%
EOS ABSOLUTE	0.05	(0.0-0.5)	K/UL
BASO %	0	(0-2)	%
BASO ABSOLUTE	0.04	(0.0-0.2)	K/UL
IG %	0.3		%
IG ABSOLUTE	0.0	(0.0-0.1)	

Patient: HILL,BRIAN D **Age/Sex:** 27/M **Acct#**MM7805836274 **Unit#**MM00370912

09:08 BP 131 / 76; Pulse 118; Resp 20; Temp 98.2; Pulse Ox 97% ; Weight 91.63 kg; Height 5 ft. 10 in. (177.80 cm); — ll
11/19
09:46 — mkk
11/19
10:59 BP 124 / 73; Pulse 93; Resp 18; Pulse Ox 100% on R/A; — mkk
11/19
12:57 BP 119 / 67; Pulse 97; Resp 19; Pulse Ox 98% on R/A; — pt3
11/19
09:08 Body Mass Index 28.98 (91.63 kg, 177.80 cm) — ll
11/19
09:46 patient has OCD and had to do his "routines" prior to coming, has been about 4 hours since injury occured — mkk

Glasgow Coma Score:
11/19
12:16 Eye Response: spontaneous(4). Verbal Response: oriented(5). Motor Response: obeys commands(6). Total: 15. — eeg

Laceration:
11/19
12:11 Wound Repair of 3cm (1.2in) subcutaneous laceration to forehead. Linear shaped.. No foreign body noted. Distal neuro/vascular/tendon intact. Anesthesia: Wound infiltrated with 3 mls of 1% lidocaine w/ Epi. Wound prep: Simple cleansing with betadine. Skin closed with 6 1-0 Prolene using Staple gun. Dressed with pressure dressing. Patient tolerated well. — eeg

MDM:
11/19
09:27 MSE Initiated by Provider. — eeg
11/19
12:12 Differential diagnosis: abrasion, closed head injury, concussion, contusion, dislocation, fracture, laceration, multiple trauma, sprain, Substance abuse. Data reviewed: vital signs, nurses notes, lab test result(s), radiologic studies. Data interpreted: Cardiac monitor: Normal rate. Counseling: I had a detailed discussion with the patient and/or guardian regarding: the historical points, exam findings, and any diagnostic results supporting the discharge/admit diagnosis, lab results, radiology results, the need for outpatient follow up, to return to the emergency department if symptoms worsen or persist or if there are any questions or concerns that arise at home. Response to treatment: the patient's symptoms have markedly improved after treatment. — eeg

11/19
09:46 Order name: POC GLU; Complete Time: 09:57 — EDMS
11/19
09:56 Order name: CMP; Complete Time: 10:53 — eeg
11/19
09:56 Order name: Complete Blood Count W/auto Diff; Complete Time: 10:53 — eeg

11/19
09:56 Order name: Thyroid Stimulating Hormone; Complete Time: 10:53 — eeg
11/19

11/19/17 12:14 Discharged to Home. Impression: Head Laceration/ Open wound of head, Hyperglycemia, unspecified.
- Condition is Stable.
- Discharge Instructions: Head Injury, Adult, Facial Laceration, Hyperglycemia, Easy-to-Read, Stitches, Staples, or Adhesive Wound Closure, Easy-to-Read.

- Medication Reconciliation form.
- Follow up: Private Physician; When: 2 - 3 days; Reason: Wound Recheck.
- Problem is new.
- Symptoms have improved.

Order Results:
Lab Order: POC GLU; SPEC'M 11/19/17 09:46
Test: POC GLU; Value: 435; Range: 65-100; Abnormal: Above high normal; Units: MG/DL; Status: F; Updated: 11/19 09:46
Lab Order: CMP; SPEC'M 11/19/17 10:11
Test: SODIUM; Value: 131; Range: 135-145; Abnormal: Below low normal; Units: MMOL/L; Status: F; Updated: 11/19 10:24
Test: POTASSIUM; Value: 4.4; Range: 3.5-5.0; Abnormal: ; Units: MMOL/L; Status: F; Updated: 11/19 10:24
Test: CHLORIDE; Value: 96; Range: 98-109; Abnormal: Below low normal; Units: MMOL/L; Status: F; Updated: 11/19 10:24
Test: CARBON DIOXIDE; Value: 26; Range: 20-30; Abnormal: ; Units: MMOL/L; Status: F; Updated: 11/19 10:24
Test: ANION GAP; Value: 9.0; Range: 1-10; Abnormal: ; Status: F; Updated: 11/19 10:24
Test: CALCIUM; Value: 9.0; Range: 8.5-10.3; Abnormal: ; Units: MG/DL; Status: F; Updated: 11/19 10:24
Test: BLOOD UREA NITROGEN; Value: 7; Range: 5-25; Abnormal: ; Units: MG/DL; Status: F; Updated: 11/19 10:34
Test: CREATININE; Value: 1.01; Range: 0.90-1.30; Abnormal: ; Units: MG/DL; Status: F; Updated: 11/19 10:34
Test: GLOMERULAR FILTRATION RATE; Value: 102; Abnormal: ; Status: F; Updated: 11/19 10:34
Test Note: 11/19 10:34 T nbsp;; Non-African American
Test: GLOMERULAR FILTRATION RATE-AA; Value: 118; Abnormal: ; Status: F; Updated: 11/19 10:34
Test Note: 11/19 10:34 T nbsp;; African American. eGFR UNITS: ml/min/1.73m2. *eGFR >= 60 = Normal GFR or mild decrease in GFR *eGFR 30-59 = Moderate decrease in GFR (Stage 3 CKD) *eGFR 15-29 = Severe decrease in GFR (Stage 4 CKD) *eGFR <15 = End-stage kidney failure (Stage 5 CKD) The equation has not been validated in patients >70 YRS OLD.
Test: TOTAL PROTEIN; Value: 7.8; Range: 6.0-8.0; Abnormal: ; Units: G/DL; Status: F; Updated: 11/19 10:34

Test: ALBUMIN; Value: 4.3; Range: 3.2-5.5; Abnormal: ; Units: G/DL; Status: F; Updated: 11/19 10:34
Test: ALB/GLOB RATIO; Value: 1.2; Range: 1.2-1.7; Abnormal: ; Units: RATIO; Status: F; Updated: 11/19 10:34
Test: GLOBULIN; Value: 3.5; Range: 2.5-3.9; Abnormal: ; Units: G/DL;

Status: F; Updated: 11/19 10:34
Test: BILIRUBIN, TOTAL; Value: 0.50; Range: 0.20-1.00; Abnormal: ;
Units: MG/DL; Status: F; Updated: 11/19 10:34
Test: SGOT/AST; Value: 27; Range: 10-42; Abnormal: ; Units: IU/L;
Status: F; Updated: 11/19 10:34
Test: SGPT/ALT; Value: 21; Range: 10-60; Abnormal: ; Units: IU/L;
Status: F; Updated: 11/19 10:34
Test: ALKALINE PHOSPHATASE; Value: 74; Range: 42-121; Abnormal: ;
Units: IU/L; Status: F; Updated: 11/19 10:34
Test: GLUCOSE, SERUM; Value: 459; Range: 65-100; Abnormal: Above
upper panic limits; Units: MG/DL; Status: F; Updated: 11/19 10:39
Test Note: 11/19 10:39 T nbsp;; CRITICAL RESULTS CALLED ON 11/19/17 AT
1035 TO: RINDY LAPRADE/RB/CALLED X 2 SNCE 1035 BY: CLIFTON,LYDIA C
Lab Order: Complete Blood Count W/auto Diff; SPEC'M 11/19/17 10:11
Test: WHITE BLOOD CELL; Value: 11.6; Range: 4.5-11.0; Abnormal: Above
high normal; Units: K/UL; Status: F; Updated: 11/19 10:18
Test: RED BLOOD CELL; Value: 5.32; Range: 4.50-5.90; Abnormal: ;
Units: M/UL; Status: F; Updated: 11/19 10:18
Test: HEMOGLOBIN; Value: 15.8; Range: 14.0-17.5; Abnormal: ; Units:
G/DL; Status: F; Updated: 11/19 10:18
Test: HEMATOCRIT; Value: 46.0; Range: 35.0-49.0; Abnormal: ; Units:
%; Status: F; Updated: 11/19 10:18
Test: MEAN CELL VOLUME; Value: 86.5; Range: 80-96; Abnormal: ; Units:
UM3; Status: F; Updated: 11/19 10:18
Test: MCH; Value: 29.7; Range: 27-32; Abnormal: ; Units: PG; Status:
F; Updated: 11/19 10:18
Test: MCHC; Value: 34.3; Range: 32-37; Abnormal: ; Units: G/DL;
Status: F; Updated: 11/19 10:18
Test: RELL CELL DISTRIBUTION WIDTH; Value: 13.1; Range: 11.5-14.5;
Abnormal: ; Units: %; Status: F; Updated: 11/19 10:18
Test: RDW STANDARD DEVIATION; Value: 41.1; Range: 35.1-43.9;
Abnormal: ; Units: fl; Status: F; Updated: 11/19 10:18
Test: PLATELETS; Value: 241; Range: 140-440; Abnormal: ; Units: K/UL;
Status: F; Updated: 11/19 10:18
Test: MEAN PLATELET VOLUME; Value: 10.8; Range: 7.4-10.4; Abnormal:
Above high normal; Units: fl; Status: F; Updated: 11/19 10:18
Test: SEGMENTED NEUTROPHIL PERCENT; Value: 84; Range: 37-80;
Abnormal: Above high normal; Units: %; Status: F; Updated: 11/19 10:18
Test: SEGMENTED NEUTROPHIL ABSOLUTE; Value: 9.77; Range: 1.5-6.8;
Abnormal: Above high normal; Units: K/UL; Status: F; Updated: 11/19
10:18
Test: LYMPHOCYTE PERCENT; Value: 10; Range: 10-50; Abnormal: ; Units:
%; Status: F; Updated: 11/19 10:18
Test: LYMPHOCYTES ABSOLUTE; Value: 1.10; Range: 1.0-4.0; Abnormal: ;
Units: K/UL; Status: F; Updated: 11/19 10:18
Test: MONOCYTE PERCENT; Value: 6; Range: 0-12; Abnormal: ; Units: %;
Status: F; Updated: 11/19 10:18
Test: MONOCYTE ABSOLUTE COUNT; Value: 0.64; Range: 0.2-1.0; Abnormal:

; Units: K/UL; Status: F; Updated: 11/19 10:18
Test: EOSINOPHIL PERCENT; Value: 0; Range: 0-7; Abnormal: ; Units: %;
Status: F; Updated: 11/19 10:18
Test: EOSINOPHIL ABSOLUTE; Value: 0.05; Range: 0.0-0.5; Abnormal: ;
Units: K/UL; Status: F; Updated: 11/19 10:18
Test: BASOPHIL PERCENT; Value: 0; Range: 0-2; Abnormal: ; Units: %;

Status: F; Updated: 11/19 10:18
Test: BASOPHIL ABSOLUTE; Value: 0.04; Range: 0.0-0.2; Abnormal: ;
Units: K/UL; Status: F; Updated: 11/19 10:18
Test: IMMATURE GRANS PERCENT; Value: 0.3; Abnormal: ; Units: %;
Status: F; Updated: 11/19 10:18
Test: IMMATURE GRANS ABSOLUTE; Value: 0.0; Range: 0.0-0.1; Abnormal:
; Status: F; Updated: 11/19 10:18
Lab Order: Thyroid Stimulating Hormone; SPEC'M 11/19/17 10:11
Test: THYROID STIMULATING HORMONE; Value: 1.29; Range: 0.34-5.60;
Abnormal: ; Units: uIU/ML; Status: F; Updated: 11/19 10:48
Lab Order: POC GLU; SPEC'M 11/19/17 10:13
Test: POC GLU; Value: 429; Range: 65-100; Abnormal: Above high
normal; Units: MG/DL; Status: F; Updated: 11/19 10:13

Radiology Order: Chest 1 View - Portable
Test: Chest 1 View - Portable
SOVAH HEALTH - MARTINSVILLE Name: HILL,BRIAN D ; RADIOLOGY DEPT Phys:
EKUBAN-GORDON,EDNA MD ; 320 HOSPTIAL DR DOB: 05/26/1990 Age: 27 Sex:
M ; MARTINSVILLE, VA 24112 Acct: MM7805836274 Loc: MM.ER ; PHONE #:
276-666-7223 Exam Date: 11/19/2017 Status: DEP ER ; FAX #:
276-666-7591 Radiology No: ; Unit No: MM00370912 ; EXAMS: EXAM
REASON: ; 000898111 CHEST 1 VIEW - PORTABLE Chest Tightness ;
PORTABLE CHEST ; HISTORY: Seizure. ; COMPARISON: 11/10/2015 ;
FINDINGS: The heart size and configuration are within normal limits ;
for age and portable technique. The lungs are clear. There is no ;
evidence of pleural effusions or pneumothorax. No acute bony ;
abnormality. ; IMPRESSION: No evidence of acute cardiopulmonary
disease. ; ** Electronically Signed by MAROON B KHOURY on 11/19/2017
at 1424 ** ; Reported by: DR. MAROON B KHOURY ; Signed by:
KHOURY,MAROON B ; ; CC: EDNA EKUBAN-GORDON MD ; ; Technologist: KYLEA
ANN KEATTS ; Transcribed Date/Time: 11/19/2017 (1146) ;
Transcriptionist: MMTRSPSB ; Orig Print D/T: S: 11/19/2017 (1424) ;
Reprint D/T: 11/19/2017 (1424) BATCH NO: N/A ;
Radiology Order: CT Head w/o Contrast
Test: CT Head w/o Contrast
SOVAH HEALTH - MARTINSVILLE Name: HILL,BRIAN D ; RADIOLOGY DEPT Phys:
EKUBAN-GORDON,EDNA MD ; 320 HOSPTIAL DR DOB: 05/26/1990 Age: 27 Sex:
M ; MARTINSVILLE, VA 24112 Acct: MM7805836274 Loc: MM.ER ; PHONE #:
276-666-7223 Exam Date: 11/19/2017 Status: DEP ER ; FAX #:
276-666-7591 Radiology No: ; Unit No: MM00370912 ; EXAMS: EXAM
REASON: ; 000898114 CT HEAD W/O CONTRAST ; UNENHANCED HEAD CT ;
HISTORY: Head injury. ; COMPARISON: 11/10/2015 ; TECHNIQUE: This CT
examination was performed using one or more of the ; following dose
reduction techniques: automated exposure control, ; adjustment of the
MA and/or KV according to patient size, and/or use ; of iterative
reconstruction techniques. ; Axial CT images were obtained through
the brain without the use of ; intravenous contrast. ; FINDINGS:

There is no evidence of acute infarct, intracranial ; hemorrhage, or
mass effect. Ventricles and sulci are normal for the ; patient's age.
Calvarium is intact. Visualized portions of the ; paranasal sinuses
and orbits are normal. ; IMPRESSION: Negative for acute intracranial
process. ; ** Electronically Signed by MAROON B KHOURY on 11/19/2017
at 1424 ** ; Reported by: DR. MAROON B KHOURY ; Signed by:
KHOURY,MAROON B ; ; CC: EDNA EKUBAN-GORDON MD ; ; Technologist:

EXHIBIT 24

attached to: "MOTION FOR SET ASIDE OR RELIEVE DEFENDANT OF JUDGMENT OF CONVICTION OF CRIMINAL CHARGE PURSUANT TO VIRGINIA CODE § 8.01-428(D), VIRGINIA CODE § 8.01-428(A) AND VIRGINIA CODE § 8.01-428(B) ON THE BASIS OF FRAUD UPON THE COURT, CLERICAL FACTUAL ERRORS"

by Brian David Hill

Case no. CR19000009-00, Circuit Court, City of Martinsville, Virginia

Ally of Q, Former news reporter of USWGO Alternative News
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CARILION CLINIC

ROANOKE
ENDOCRINOLOGY CCR3
3 RIVERSIDE CIRCLE

Hill, Brian David
MRN: 7244793, DOB: 5/26/1990, Sex: M
Visit date: 12/22/2017

Reviewed by List

Balakrishnan, Shyam E, MD on 1/15/2018 18:06

Results

CBC WITH AUTO DIFF (CBCD) (Order 368602037)

CBC WITH AUTO DIFF (CBCD) [368602037] (Abnormal) — Resulted: 07/31/18 1210, Result status: Final result

Ordering provider: Balakrishnan, Shyam E, MD 07/31/18 1110 — Resulting lab: GENESYS MARTINSVILLE

Specimen Information

Type	Source	Collected On
Blood, Venous	—	07/31/18 1122

Components

Component	Value	Reference Range	Flag	Lab
WBC	8.0	4.8 - 10.8 x10	—	gen martinsvi
RBC	5.53	4.50 - 5.30 x10	H	gen martinsvi
Hemoglobin	16.3	13.0 - 16.0 G/DL	H	gen martinsvi
Hematocrit	49.1	37.0 - 49.0 %	H	gen martinsvi
MCV	89	78 - 98 fL	—	gen martinsvi
MCH	29.5	27.0 - 34.6 pg	—	gen martinsvi
MCHC	33.2	33.0 - 37.0 g/dL	—	gen martinsvi
RDW	12.3	11.5 - 14.5 %	—	gen martinsvi
Platelet Count	235	130 - 400 x10	—	gen martinsvi
MPV	8.9	7.4 - 10.4 fL	—	gen martinsvi
Seg	65.5	42.0 - 75.0 %	—	gen martinsvi
Lymph	20.9	21.0 - 51.0 %	L	gen martinsvi
Monos	11.4	2.0 - 13.0 %	—	gen martinsvi
Eos	1.6	0.0 - 10.0 %	—	gen martinsvi
Baso	0.6	0.0 - 2.0 %	—	gen martinsvi
Absolute Neut	5.30	1.80 - 7.70 x10	—	gen martinsvi
Absolute Lymph	1.70	1.00 - 5.00 x10	—	gen martinsvi
Absolute Mono	0.90	0.00 - 0.80 x10	H	gen martinsvi
Absolute Eos	0.10	0.00 - 0.70 X 10	—	gen martinsvi
Absolute Basophils	0.00	0.00 - 0.20 X10	—	gen martinsvi

Testing Performed By

Lab - Abbreviation	Name	Director	Address	Valid Date Range
212 - gen martinsvi	GENESYS MARTINSVILLE	Unknown	1107 A Brookdale St Martinsville VA 24112	09/14/10 1517 - Present

Reviewed by List

Balakrishnan, Shyam E, MD on 8/1/2018 10:31

Results

COMPREHENSIVE METABOLIC PANEL(COMP) (Order 368602038)

COMPREHENSIVE METABOLIC PANEL(COMP) [368602038] (Abnormal) — Resulted: 07/31/18 1210, Result status: Final result

Ordering provider: Balakrishnan, Shyam E, MD 07/31/18 1110 — Resulting lab: GENESYS MARTINSVILLE

Specimen Information

Type	Source	Collected On
Blood, Venous	—	07/31/18 1122

Components

Component	Value	Reference Range	Flag	Lab
Sodium	137	135 - 145 mmol/L	—	gen martinsvi
Potassium	4.4	3.5 - 5.3 mmol/L	—	gen martinsvi
Chloride	101	98 - 110 mmol/L	—	gen martinsvi
CO2	29	21 - 31 mmol/L	—	gen martinsvi
Urea Nitrogen	10	7.0 - 22.0 mg/dL	—	gen martinsvi
Creatinine	1.02	0.50 - 1.40 mg/dL	—	gen martinsvi
Glom Filt Rate, Estimated	87	>60	—	gen martinsvi
Glucose, Bld	237	70 - 99 mg/dL	H	gen martinsvi
Total Protein	7.1	6.0 - 8.3 g/dL	—	gen martinsvi
Albumin	4.0	3.2 - 5.5 g/dl	—	gen martinsvi
Calcium	9.2	8.5 - 10.7 mg/dL	—	gen martinsvi
Total Bilirubin	0.5	0.0 - 1.3 mg/dL	—	gen martinsvi
Alkaline Phosphatase, Serum	77	42 - 121 IU/L	—	gen martinsvi
AST	18	15 - 45 IU/L	—	gen martinsvi
ALT	18	10 - 60 IU/L	—	gen martinsvi
Globulin	3.1	g/dl	—	gen martinsvi
A/G Ratio	1.3	—	—	gen martinsvi
Anion Gap	11.4	mmol/L	—	gen martinsvi
Osmolality	280.56	mmol/L	—	gen martinsvi
Bun/Creatinine	9.80	RATIO	—	gen martinsvi

Testing Performed By

Lab - Abbreviation	Name	Director	Address	Valid Date Range
212 - gen martinsvi	GENESYS MARTINSVILLE	Unknown	1107 A Brookdale St Martinsville VA 24112	09/14/10 1517 - Present

Reviewed by List

Balakrishnan, Shyam E, MD on 8/1/2018 10:31

Results

HEMOGLOBIN A1C(HA1C) (Order 368602039)

HEMOGLOBIN A1C(HA1C) [368602039] (Abnormal) Resulted: 07/31/18 1149, Result status: Final result

Ordering provider: Balakrishnan, Shyam E, MD 07/31/18 1110 Resulting lab: GENESYS MARTINSVILLE

Specimen Information

Type	Source	Collected On
Blood, Venous	—	07/31/18 1122

Components

Component	Value	Reference Range	Flag	Lab
Hemoglobin A1C	9.1	3.8 - 5.9 %	H	gen martinsvi

Testing Performed By

Lab - Abbreviation	Name	Director	Address	Valid Date Range
212 - gen martinsvi	GENESYS MARTINSVILLE	Unknown	1107 A Brookdale St Martinsville VA 24112	09/14/10 1517 - Present

Reviewed by List

Balakrishnan, Shyam E, MD on 8/1/2018 10:31
Balakrishnan, Shyam E, MD on 7/31/2018 11:50

END OF REPORT

EXHIBIT 25

attached to: "MOTION FOR SET ASIDE OR RELIEVE DEFENDANT OF JUDGMENT OF CONVICTION OF CRIMINAL CHARGE PURSUANT TO VIRGINIA CODE § 8.01-428(D), VIRGINIA CODE § 8.01-428(A) AND VIRGINIA CODE § 8.01-428(B) ON THE BASIS OF FRAUD UPON THE COURT, CLERICAL FACTUAL ERRORS"

by Brian David Hill

Case no. CR19000009-00, Circuit Court, City of Martinsville, Virginia

Ally of Q, Former news reporter of USWGO Alternative News
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VIRGINIA: IN THE CIRCUIT COURT FOR THE CITY OF MARTINSVILLE

COMMONWEALTH OF VIRGINIA,	)	
CITY OF MARTINSVILLE,	)	CASE NO: CR19000009-00
PLAINTIFF(s),	)	
	)	**DECLARATION OF BRIAN DAVID HILL IN SUPPORT OF MOTION FOR SET ASIDE OR RELIEVE DEFENDANT OF JUDGMENT OF CONVICTION OF CRIMINAL CHARGE PURSUANT TO VIRGINIA CODE § 8.01-428(D), VIRGINIA CODE § 8.01-428(A) AND VIRGINIA CODE § 8.01-428(B) ON THE BASIS OF FRAUD UPON THE COURT, CLERICAL FACTUAL ERRORS**
v.	)	
BRIAN DAVID HILL,	)	
DEFENDANT.	)	

DECLARATION OF BRIAN DAVID HILL IN SUPPORT OF MOTION FOR SET ASIDE OR RELIEVE DEFENDANT OF JUDGMENT OF CONVICTION OF CRIMINAL CHARGE PURSUANT TO VIRGINIA CODE § 8.01-428(D), VIRGINIA CODE § 8.01-428(A) AND VIRGINIA CODE § 8.01-428(B) ON THE BASIS OF FRAUD UPON THE COURT, CLERICAL FACTUAL ERRORS

Respectfully submitted with the Court,

This the 25th day of January, 2023.

Brian D. Hill
Signed
Brian D. Hill

Brian D. Hill
Defendant
Former news reporter of U.S.W.G.O. Alternative News
Ally of Q
310 Forest Street, Apartment 2
Martinsville, Virginia 24112
(276) 790-3505

JusticeForUSWGO.NL or JusticeForUSWGO.wordpress.com

Pursuant to the Virginia Code § 8.01-4.3. "Unsworn declarations under penalty of perjury; penalty.", criminal defendant Brian David Hill hereby state as follows to the Circuit Court for the City of Martinsville under penalty of perjury,

1. I am Brian David Hill, criminal defendant in this case. I am a party to this litigation. CASE NO: CR19000009-00.

2. I had written a letter to the Martinsville Police Department for requesting the discovery material of the body-camera footage (See **EXHIBIT PAGE 235 OF 337**, in **EXHIBIT 15**) which is evidence subject to discovery as ordered by both the General District Court (See **EXHIBIT PAGE 273-274 OF 337**, in **EXHIBIT 22**) and as ordered two different times from the Circuit Court (See **EXHIBIT PAGE 275-280 OF 337**, in **EXHIBIT 22**) as shown in **EXHIBIT 22**. I had access to a photocopying machine in the Federal Correctional Institution 1 which is a federal prison at the time I had mailed that letter to Martinsville Police Department, because during my federal court ordered mental evaluation, I was detained at the Federal Correctional Institution 1 in Butner, North Carolina. That federal prison allowed me to have access to a photocopying machine for legal paper copying reasons as well as access to a law library which unfortunately did not have Virginia statutes and neither of Virginia case law. I said in a photocopy of that exact written letter (**EXHIBIT PAGE 235**): *"Brian David Hill hereby requests a copy of Police Body-Camera footage presumably recorded by Sgt. R.D. Jones of Martinsville*

Police Department between the times of 3:00AM and 4:00AM, September 21, 2018".

3. In 2019, when I was detained at the Federal Correctional Institution 1 in Butner, North Carolina pursuant to a court ordered mental evaluation, I had also written and kept at the time a "Mailing Log 2019 U.S.W.G.O. Brian David Hill #29947-057". That was to keep a written record of every legal mailing I had mailed from the FCI-1 Butner prison facility. The record in pages **EXHIBIT PAGE 232-233 OF 337**, in **EXHIBIT 22**, is only two pages of more pages of mailing logs I had when I was in federal detention at the time I was in the mental evaluation process, but only those two pages are needed by me to prove to the Circuit Court for the City of Martinsville that I had mailed a letter which asked for the body-camera footage multiple times.

4. In the Mailing Log, Entry "#4" said "2pg", "Chief of Police, Police of Martinsville, Martinsville VA Police, 55 West Church St, Municipal Building, Martinsville, VA 24112 US 01/30/2019", in **EXHIBIT PAGE 232**. The other page said: "#4. copy of 1-page letter to Chief of Police dated January 20, 2019; and a copy of 1-page letter to Chief of Police dated January 19, 2019", in **EXHIBIT PAGE 233**. Referring to the same entry #4 from both pages of the mailing log. A photocopy of the mailing envelope is in **EXHIBIT PAGE 236 OF 337**. That entry was the mailing of a photocopy on January 30, 2019, of what was originally mailed

on January 22, 2019 (**EXHIBIT PAGE 238 OF 337**). I believe I had mailed this mailing at the Mail Room at the Prison and I believe that envelope was classified as LEGAL MAIL. The photocopy of the mailed envelope is only of one mailing of the letter to the Chief of Police. Both were mailed as LEGAL MAIL.

5. In another Mailing Log, **EXHIBIT PAGE 238 OF 337**, Entry "#8" said "4pg", "Chief of Police, Police of Martinsville, 55 W Church ST, Municipal Building, Martinsville, VA 24112 US 01/22/2019". I do recall mailing the original on that mailing log, the 1-page letter to Chief of Police dated January 19, 2019. That letter was asking for the police-body-camera footage which is discovery evidence which I later found out was ordered by both the General District Court one time and the Circuit Court two different times, see past Court Orders for Discovery for what I am referring to. I was not aware of what was said in those court orders until a later time. I believe I had mailed this mailing at the Mail Room at the Prison and I believe the envelope was classified as LEGAL MAIL.

6. My grandparents had created and mailed a typed-up version of my written letter mailed originally and then mailed a photocopy of that same letter at a later time to the Chief of Police which that original letter was dated January 19, 2019. The same letter asking for the body-camera footage. See **EXHIBIT PAGES 240-242 OF 337**. I was aware that they had mailed that to Martinsville Police Department with Certified Mail. The typed-up letter was dated March 13, 2019.

6. Prior to me writing a letter to the Chief of Police then mailing that letter, and then at a later day mailing a photocopy of that same letter requesting the body-camera footage recorded by Officer Robert Jones of Martinsville Police Department, I was also detained as an inmate at the Western Virginia Regional Jail in Salem, Virginia, after I was picked up at Martinsville City Jail to be transferred to the Western Virginia Regional Jail due to the "Federal Detainer" on me at the time. When I was placed in what I would call, special housing in that jail, I was able to request from the jail guard a tablet which allowed me to send electronic messages to my family which is essentially an inmate email system provided by the Jail tablet. That system would be called SmartJailMail.com which I had sent messages to from the tablet. I didn't just sent emails through SmartJailMail to my mother. I had also sent messages to a man named Eric S. Clark who was my pro se legal adviser at the time who had helped me with pro se filings dealing with my federal case. He is the reason why I had learned how to produce my own legal paperwork and filings on my own which can look as professional as the same ones' attorneys usually file without a lawyer. His email which was used by the SmartJailMail system of correspondences between me and Eric Clark was when he had used the email address eric@whitestonepublishing.org. I had sent messages to him while I was incarcerated at the Western Virginia Regional Jail. I also had sent

messages to Ken & Stella (kenstella2007@yahoo.com) using the SmartJailMail system. As well as my mother Roberta Hill.

7. Kenneth and Stella Forinash had sent an email which is in **EXHIBIT 19**. See **EXHIBIT PAGE 261-263 OF 337**. That email was sent to my court appointed Public Defender named Scott Albrecht who had represented me after I was charged on September 21, 2018, after his appointment as my counsel. I was adamant on asking my Public Defender to obtain the body-camera footage. His email at the time was, I believe it was salbrecht@mar.IDC.Virginia.gov. I sent a message through SmartJailMail to Kenneth and Stella Forinash. They received it and mirrored my message to Public Defender Scott Albrecht, my court appointed counsel for my criminal case at the time. It said partially: "…I will file a motion for Writ of Actual Innocence and motion for new trial pursuant to Virginia Code Sec. 19.2-265.4 a failure to provide discovery in Misdemeanor and felony cases. The bodycam footage and 911 recording is another one..." So, Scott Albrecht my attorney was made aware of the police-body-camera footage on record, and me wanting this footage even before I was transferred from Western Virginia Regional Jail to the Federal Correctional Institution 1 in Butner. That email to Scott Albrecht was sent on "Date: Thursday, December 27, 2018 at 10:50 PM EST", "Cc: eric@whitestonepublishing.org; rbhill67@yahoo.com". This email proves that my court appointed Public Defender Scott Albrecht, an officer of the Court at the time,

was made aware in email or in typed up communications about the issues of me wanting the body-camera footage.

8. Kenneth and Stella Forinash had sent an email which is in **EXHIBIT 20**. See **EXHIBIT PAGE 264-269 OF 337**. That email message from the first page of that email was not sent to Public Defender named Scott Albrecht, but it does show a pattern of email correspondence which does show an email which was emailed to my Public Defender named Scott Albrecht. I was adamant on asking my Public Defender to obtain the body-camera footage. That email to Scott Albrecht from my contact Eric S. Clark was sent on "Tuesday, December 25, 2018 4:46 PM", "Subject: Brian D. Hill request". In my "MESSAGE 1" of one of my SmartJailMail messages to Eric Clark as he dubbed it as "MESSAGE 1", I said to Eric in my SmartJailMail message (excerpted in part of the entire message): "…Evidence of coercion exists but was not disclosed under Discovery violating Brady rights. Police bodycam footage during interview of Brian after arrest…I showed signs of coercion when Iqpwas interviewed by the officer who turned on his body camera and the red recording light was on…". This email proves that my court appointed Public Defender Scott Albrecht, an officer of the Court at the time, was made aware in email or in typed up communications about the issue of me talking about the existence of the body-camera footage.

9. Prior to me reviewing over the Clerk's transmitted record of the Trial Court in 2021 pursuant to one of my past appeals, I am not sure if I ever had access to the three Court Orders for discovery. I cannot recall. I am referring to the order of the General District Court (See **EXHIBIT PAGE 273-274 OF 337**, in **EXHIBIT 22**) and the two different court orders for discovery from the Circuit Court (See **EXHIBIT PAGE 275-280 OF 337**, in **EXHIBIT 22**). At some point I had reviewed over those court orders and then I had realized at that time that those three court orders were not complied with by the Commonwealth Attorney because of the ineffectiveness of attorney Scott Albrecht. In fact, none of my court appointed lawyers assigned to my criminal case in the General District Court and in the Circuit Court had ever filed anything to enforce those three court orders. Never pushed for sanctions, never asked for compelling compliance with those three court orders for discovery materials. None of my court appointed lawyers ever spoke with me about ever initiating a filing for asking the Court to conduct enforcement of its previous discovery orders or motion to compel compliance with the Circuit Court and General District Court. My court appointed lawyers never filed any motions about compelling the Commonwealth Attorney to comply with the court orders by turning over the body-camera footage or a copy of the same.

10. I don't know the reason why Scott Albrecht never tried to enforce the court order from the General District Court (See **EXHIBIT PAGE 273-274 OF**

337, in **EXHIBIT 22**) and why Scott Albrecht never tried to enforce the two different court orders for discovery from the Circuit Court (See **EXHIBIT PAGE 275-280 OF 337**, in **EXHIBIT 22**). Albrecht never pushed for sanctions against Glen Andrew Hall, he never pushed for sanctions against Martinsville Police Department for not turning over the police body-camera footage. From what I understand about basic law, refusal to following a court order in a criminal or civil case is usually a contempt of court from my basic legal understanding of my requirement to comply with court orders after I am served with an arrest warrant or summons or whatever is filed against me in a Court of Law. Why didn't Scott Albrecht push for any contempt charge against Martinsville Police Department? Why didn't Scott Albrecht push for any contempt charge against the Commonwealth Attorney?

11. I am aware that on August 1, 2019, I was appointed Matthew Scott Thomas Clark ("Matthew Clark"), who was appointed by the court to represent me in my criminal case due to me being indigent. At some point I met with this attorney in person and at another point I had spoken with this attorney over the telephone, from what I remember. I had also asked Matthew Clark to ask for the body-camera footage from the Commonwealth Attorney. I think I remember him appearing with me at a court hearing, I think it was a continuance hearing. It is harder to remember but I think before my hearing he was in the courtroom speaking

with somebody working for the Commonwealth Attorney, it may have been Glen Andrew Hall or somebody working with or for Glen Andrew Hall. It was a long time ago, but I do remember seeing Matthew Clark talking with the Commonwealth Attorney or somebody working for the Commonwealth Attorney in the courtroom at a hearing. Probably asking about the body-cam footage. I don't know.

12. It was either in August, 2019 or September, 2019, I met with Matthew Clark at his law office at the address of 711-B Starling Avenue, Martinsville, VA 24112. I know this meeting occurred before I filed the pro se motion to withdraw appeal. I had spoken with him in his law office in the presence of my family members (witnesses) Roberta Hill, Stella Forinash, and Kenneth Forinash to all discuss my criminal case in the Circuit Court. One of things I spoke with this attorney Matthew Clark about was regarding my request for the body-camera footage from Martinsville Police. He told me in the presence of my family members that the "bodycam footage had been destroyed". I was shocked to hear that, since it was a pending litigation. He explained that there is an evidence retention period for police body-camera storage, and said it was a certain number of months. So, he argued that the body-camera footage had been destroyed because of this "retention period" of a certain number of months as he told me. None of that made any sense to me as that body-camera footage was subject to discovery as part of a pending criminal litigation prosecuted by the Commonwealth Attorney. Attorney Scott

Albrecht was made aware by emails as to the issues surrounding the police body-camera footage. Attorney Scott Albrecht knew that I wanted this body-camera footage as well. I had mailed multiple letters to the Police Chief of Martinsville Police Department (see this Declaration's paragraphs 2 through 6, pages 2-4 for what I am referring to) asking for the body-camera footage. My grandparents gave me the original certified mail receipt and original return receipt which proved that the typed letter of my original letter to the Chief of Police (**EXHIBIT PAGE 240-242 OF 337**). If the Court wants me to show this proof, I will provide this proof to the Circuit Court, if I can still find it in boxes and boxes full of papers and evidence.

13. I had mailed my letter to the Police Chief originally written and dated as January 19, 2019, as well as a photocopy after no response, and then my grandparents mailed a typed copy of my original letter dated as January 19, 2019. Refer back to paragraph 6 of my Declaration. Refer back to paragraphs 2 through 4 of my Declaration as to my original letter and mailing a photocopy of my original letter thanks to the photocopy scanning machine at the federal prison I was detained at during my court ordered mental evaluation by the U.S. District Court. I had asked the Police Chief two different times and my family sent a typed copy of my written request one time for the body-camera footage in writing. Three different times this Police Chief was asked for this discovery material, and I have proof of it. I had

preserved records for the purposes of keeping documentation for my criminal case and for my U.S. District Court case or cases. My legal paperwork, my photocopies of what I had mailed. I had mailed this Chief of Police of Martinsville Police two different times asking for the body-cam footage, and my grandparents mailed a typed copy of my request for the body-cam footage. All of it was IGNORED. I never received a single written response from Martinsville Police Department regarding my request for the police-body-camera footage. Not a formal typed response, nothing about the body-cam footage. Yet they destroyed it before my scheduled jury trial set for December 2, 2019 at 9:00 A.M. This is deceptive and is a fraud in my view for the Police to destroy evidence while the Commonwealth Attorney demands that I face a jury trial with destroyed evidence to help rig the jury trial against me. With dishonest prosecutors, usually evidence is destroyed when the very destroyed evidence may hurt the prosecutor's case. I was going to face a jury with evidence destroyed by Martinsville Police Department. They jury wouldn't even know about certain evidence being destroyed after multiple lawful court orders for discovery, I would have faced this rigged jury trial against me if I had not withdrawn my appeal, because none of my court appointed lawyers would even tell the future jury. Gave no indication to me that they would.

14. Attorney Matthew Clark admitted verbally to me and my family members sometime in either August, 2019 or September, 2019, that the bodycam footage had

been destroyed during pending litigation, forced jury trial against my will, and the Police got completely away with the bodycam footage being destroyed after three court orders for discovery. Martinsville Police Department never made sure to produce the bodycam footage (body-camera footage on their uniforms) to either me or my defense attorney. At least I can admit under penalty of perjury that I never was able to even see it even before my Bench Trial in the General District Court, and I was shown no proof from all of my court appointed lawyers that the body-camera footage was ever obtained in the first place. Makes me suspect collusion between the Commonwealth Attorney and the supposed Public Defenders, they are Public Pretenders in my personal view. They didn't do anything to ensure they even had a copy of the bodycam footage recorded by Officer Robert Jones. None of my court appointed lawyers who was supposed to be my defense lawyers, none of them ever sent a litigation hold letter demanding that the body-cam footage be retained as evidence for the pending litigation, and demand that the evidence not be destroyed until after the case is dispositioned and after any direct appeals exhausted. Then Matthew Clark tells me around sometime in either August, 2019 or September, 2019 that Martinsville Police Department had destroyed the bodycam evidence, they destroyed it from what Matthew Clark told me, Martinsville Police Department had destroyed it. **I swear this is true on a stack of bibles**, I swear under penalty of perjury in this Declaration that what I am saying is the truth. I

asked for the bodycam footage, I made written requests for it, Public Defender Scott Albrecht was emailed by Eric Clark and Stella/Kenneth Forinash about me mentioning about the bodycam footage, and none of them were answered as to my concerns about the bodycam footage. Then it appears to me to the best of my knowledge and to the best of my memory that the Police didn't comply with the Court Orders for discovery by destroying the bodycam footage. They destroyed it after the court orders for the discovery materials, they didn't even wait until after the jury trial and after any direct appeals. They destroyed it before I was going to have to appear before a jury trial on December 2, 2019 at 9:00 A.M. I know they didn't comply with those Court Orders because my own attorney Matthew Clark told me in the presence of my family members inside his law office, my family members Roberta Hill, Kenneth Forinash, and Stella Forinash. Matthew Clark told me that the bodycam footage had been destroyed, I cannot forget this and I will never forget this, I am still upset about this. Scott Albrecht did nothing to try to preserve the evidence subject to issues during a pending criminal case litigation. Scott Albrecht is a failure as an officer of the court, he failed me and allowed Martinsville Police to destroy the bodycam footage. What a moron of a lousy attorney, I am angry at him as well. They all let me down.

15. As to **EXHIBIT 2**, **EXHIBIT PAGES 5-86 OF 337**, is a true and correct copy of TRANSCRIPT OF THE SUPERVISED RELEASE

REVOCATION HEARING, BEFORE THE HONORABLE THOMAS D. SCHROEDER, UNITED STATES DISTRICT JUDGE, IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF NORTH CAROLINA, dated September 12, 2019. Officer Robert Jones of Martinsville Police Department (aka SERGEANT ROBERT JONES) had testified at this hearing and is relevant/material to my Motion that this Declaration is in support of. CASE NO. 1:13CR435-1.

16. As to **EXHIBIT 3**, **EXHIBIT PAGES 87-91 OF 337**, is a true and correct photocopy of billing records regarding me being a patient at Sovah Health Martinsville, on September 21, 2018, billing records I had received from Sovah Health Martinsville, the local hospital once known as Martinsville Memorial Hospital.

17. As to **EXHIBIT 7**, **EXHIBIT PAGES 170-181 OF 337**, is a true and correct copy of a federal court filing entitled as "STATUS REPORT OF PETITIONER SEPTEMBER 27, 2018", Document 153, Filed 10/17/18, case no. 1:13-cr-00435-TDS, IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF NORTH CAROLINA.

17. As to **EXHIBIT 8**, **EXHIBIT PAGES 182-184 OF 337**, is a true and correct copy of a federal court filing entitled as "EXHIBIT 1 For Federal civil complaint -- MOTION ASKING THE COURT TO REQUEST LEGAL

COUNSEL TO REPRESENT THE PLAINTIFF -- MOTION AND BRIEF IN SUPPORT OF THIS MOTION -- Brian David Hill v. Executive Office for United States Attorneys (EOUSA), United States Department of Justice (U.S. DOJ) Civil Case Number 4:17-cv-00027", Document 23-1, Filed 07/03/17, case no. 4:17-cv-00027-JLK-RSB, and was filed IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF VIRGINIA.

18. As to **EXHIBIT 9**, **EXHIBIT PAGES 185-187 OF 337**, is a true and correct copy of a federal court filing entitled as "EXHIBIT 2 For Federal civil complaint -- DECLARATION OF BRIAN DAVID HILL IN SUPPORT OF DOCUMENT 2 COMPLAINT AND IN SUPPORT OF MOTION, UNDER RULE 45 ASKING THE CLERK TO SUBPOENA ATTORNEY JOHN SCOTT COALTER FOR DISCOVERY AND TO PROVE THE FACTUAL MATTER UNDER COMPLAINT -- Brian David Hill v. Executive Office for United States Attorneys (EOUSA), United States Department of Justice (U.S. DOJ) Civil Case Number 4:17-cv-00027", Document 12-2, Filed 06/12/17, case no. 4:17-cv-00027-JLK-RSB, and was filed IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF VIRGINIA.

18. As to **EXHIBIT 10**, **EXHIBIT PAGES 188-193 OF 337**, is a true and correct copy of a federal court filing entitled as "EXHIBIT 1 For Federal civil complaint Brian David Hill v. Executive Office for United States Attorneys

(EOUSA), United States Department of Justice (U.S. DOJ)", Document 2-1, Filed 04/25/17, case no. 4:17-cv-00027-JLK, and was filed IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF VIRGINIA.

18. As to **EXHIBIT 11**, **EXHIBIT PAGES 194-201 OF 337**, is a true and correct copy of a federal court filing entitled as "EXHIBIT 2 For Federal civil complaint -- MOTION ASKING THE COURT TO REQUEST LEGAL COUNSEL TO REPRESENT THE PLAINTIFF -- MOTION AND BRIEF IN SUPPORT OF THIS MOTION -- Brian David Hill v. Executive Office for United States Attorneys (EOUSA), United States Department of Justice (U.S. DOJ) Civil Case Number 4:17-cv-00027", Document 23-2, Filed 07/03/17, case no. 4 :17-cv-00027-JLK-RSB, and was filed IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF VIRGINIA.

19. As to **EXHIBIT 12**, **EXHIBIT PAGES 202-209 OF 337**, is a true and correct copy of (1) a 4-page "URGENT LETTER TO MARTINSVILLE POLICE DEPARTMENT AND CITY OF MARTINSVILLE – FOIA REQUEST FRIDAY", "JANUARY 20, 2022"; a true and correct copy of (2) Venta Fax & Voice Transmission ticket for FAX ID: 276-790-3505 of a fax sent to City of Martinsville, Attn.: FOIA Officer at the recipient phone number of 1-276--403-5280 (1-page); (3) a true and correct copy of a Venta Fax & Voice Transmission ticket for FAX ID: 276-790-3505 of a fax sent to Martinsville Police Department,

Attn.: FOIA Officer at the recipient phone number of 1-276-403-5306 (1-page); and (4) a true and correct copy of another Venta Fax & Voice Transmission ticket for FAX ID: 276-790-3505 of a fax sent to City of Martinsville, Attn.: FOIA Officer at the recipient phone number of 1-276--403-5280 (1-page). The fax transmission tickets were concerning the successful transmissions to the intended destination fax numbers of the 4-page "URGENT LETTER TO MARTINSVILLE POLICE DEPARTMENT AND CITY OF MARTINSVILLE – FOIA REQUEST FRIDAY", "JANUARY 20, 2022".

19. As to **EXHIBIT 13**, **EXHIBIT PAGES 210-215 OF 337**, is a true and correct copy of document record pages from the record of the Circuit Court of what was filed in my case of "Motion for writ of error coram vobis" which was construed by the Clerk as a case for a Petition for a Writ of error coram nobis (WCN) (an "initial filing" and was filed in a separate case, Case No.:CL20000089-00.

20. As to **EXHIBIT 16**, **EXHIBIT PAGES 247-249 OF 337**, is a true and correct copy of "Virginia Medicaid Claims History For Member ID: 690024628015, Member Name: Brian Hill", Claims For 11/19/2017 And 9/21/2018.

21. As to **EXHIBIT 17**, **EXHIBIT PAGES 250-252 OF 337**, is a true and correct copy of printed email from the email record of Roberta Hill at her email address rbhill67@yahoo.com. Subject: Re: Brian D. Hill asked me to send this

email to you about his appealed case. From: Eric S Clark (eric@whitestonepublishing.org). To: kenstella2007@yahoo.com; salbrecht@mar.IDC.Virginia.gov. Cc: rbhill67@yahoo.com. Date: Thursday, December 27, 2018 at 11:21 PM EST.

22. As to **EXHIBIT 18**, **EXHIBIT PAGES 253-260 OF 337**, is a true and correct complete copy of medical records I obtained from Sovah Health Martinsville which is a hospital. Medical records of the hospital visited dated Friday, September 21, 2018. On the day I received the records or around the time I received the records, I did speak with the hospital records staff or somebody at the hospital records area about any laboratory tests on September 21, 2018. The staff said to me and Roberta Hill that they cannot find any laboratory testing records and said since I was in the custody of the police that it would be the Martinsville Police who would do the lab work. That was what I was told by the staff person at Sovah Health Martinsville on the day which I obtained those records or around the time I received the records, and I had obtained them on "5/17/2019".

23. As to **EXHIBIT 19**, **EXHIBIT PAGES 261-263 OF 337**, is a true and correct copy of printed email from the email record of Roberta Hill at her email address rbhill67@yahoo.com. Subject: Brian D. Hill asked me to send this email to you about his appealed case. From: Ken & Stella (kenstella2007@yahoo.com). To:

salbrecht@mar.IDC.Virginia.gov. Cc: eric@whitestonepublishing.org; rbhill67@yahoo.com. Date: Thursday, December 27, 2018 at 10:50 PM EST.

24. As to **EXHIBIT 20**, **EXHIBIT PAGES 264-269 OF 337**, is a true and correct copy of printed email from the email record of Roberta Hill at her email address rbhill67@yahoo.com. Subject: Fw: Brian D. Hill request. From: Ken & Stella (kenstella2007@yahoo.com). To: rbhill67@yahoo.com. Date: Wednesday, December 26, 2018 at 04:30 PM EST.

25. As to **EXHIBIT 23**, **EXHIBIT PAGES 281-311 OF 337**, is a true and correct incomplete (not all pages of the entire record) copy of medical records I obtained from Sovah Health Martinsville which is a hospital. Medical records of the hospital visited dated Sunday, November 19, 2017. The record pages in this exhibit are one copy which was scanned with color scanning setting and the other copy of the same thing (scanned in color previously) was scanned in black and white. So two copies of the same pages, one in color and the other one in black and white. Was scanned with both color and black and white, in case the black and white scan caused any loss of details from the medical record pages.

26. As to **EXHIBIT 24**, **EXHIBIT PAGES 312-315 OF 337**, is a true and correct copy of pages of medical records I obtained from Carilion Clinic which I am a patient of. Medical records of the laboratory work done on specimen collected on July 31, 2018, time of 1122 (assuming it is military time), from the Resulting

lab: GENESYS MARTINSVILLE. The record pages in this exhibit are in color. The highlighting of certain record areas was done by Roberta Hill to show the abnormal readings. The address reported of the testing was done at 1107 A Brookdale St, Martinsville VA 24112. COMPREHENSIVE METABOLIC PANEL(COMP) [368602038] (Abnormal).

I declare under penalty of perjury that the foregoing is true and correct.

Executed on January 25, 2023.

Brian D. Hill
Signed
Brian D. Hill

Brian D. Hill
Defendant
Former news reporter of U.S.W.G.O. Alternative News
Ally of Q
310 Forest Street, Apartment 2
Martinsville, Virginia 24112
(276) 790-3505
JusticeForUSWGO.NL or JusticeForUSWGO.wordpress.com

Received On 1/26/2023 By User: jnunn Circuit Court Clerk's Office Martinsville, VA Jean P. Nunn, Clerk

VIRGINIA: IN THE CIRCUIT COURT FOR THE CITY OF MARTINSVILLE

COMMONWEALTH OF VIRGINIA,	)	
CITY OF MARTINSVILLE,	)	CASE NO: CR19000009-00
PLAINTIFF(s),	)	
	)	**EVIDENCE OF FEDERAL COURT DECLARATIONS UNDER PENALY OF PERJURY IN SUPPORT OF MOTION FOR SET ASIDE OR RELIEVE DEFENDANT OF JUDGMENT OF CONVICTION OF CRIMINAL CHARGE PURSUANT TO VIRGINIA CODE § 8.01-428(D), VIRGINIA CODE § 8.01-428(A) AND VIRGINIA CODE § 8.01-428(B) ON THE BASIS OF FRAUD UPON THE COURT, CLERICAL FACTUAL ERRORS**
v.	)	
BRIAN DAVID HILL,	)	
DEFENDANT.	)	

EVIDENCE OF FEDERAL COURT DECLARATIONS UNDER PENALY OF PERJURY IN SUPPORT OF MOTION FOR SET ASIDE OR RELIEVE DEFENDANT OF JUDGMENT OF CONVICTION OF CRIMINAL CHARGE PURSUANT TO VIRGINIA CODE § 8.01-428(D), VIRGINIA CODE § 8.01-428(A) AND VIRGINIA CODE § 8.01-428(B) ON THE BASIS OF FRAUD UPON THE COURT, CLERICAL FACTUAL ERRORS

Respectfully submitted with the Court,

This the 26th day of January, 2023.

Brian D. Hill
Signed
Brian D. Hill

Brian D. Hill
Defendant
Former news reporter of U.S.W.G.O. Alternative News
Ally of Q
310 Forest Street, Apartment 2
Martinsville, Virginia 24112
(276) 790-3505

JusticeForUSWGO.NL or JusticeForUSWGO.wordpress.com

Pursuant to the Virginia Code § 8.01-4.3. “Unsworn declarations under penalty of perjury; penalty.”, criminal defendant Brian David Hill hereby state as follows to the Circuit Court for the City of Martinsville under penalty of perjury,

1. I am Brian David Hill, criminal defendant in this case. I am a party to this litigation. CASE NO: CR19000009-00.

2. I am filing four attachments (four documents) to this Evidence Declaration, true and correct copies of federal court filed unsworn declarations which are of (or at least should be in my view) the same force and effect as affidavits, under penalty of perjury. I am filing four different declarations as evidence in this case in support of “MOTION FOR SET ASIDE OR RELIEVE DEFENDANT OF JUDGMENT OF CONVICTION OF CRIMINAL CHARGE PURSUANT TO VIRGINIA CODE § 8.01-428(D), VIRGINIA CODE § 8.01-428(A) AND VIRGINIA CODE § 8.01-428(B) ON THE BASIS OF FRAUD UPON THE COURT, CLERICAL FACTUAL ERRORS”

3. As to **ATTACHMENT 1:** “Exhibit 1, Exhibit in attachment to “PETITIONER’S AND CRIMINAL DEFENDANT’S MOTION TO CORRECT OR MODIFY THE RECORD PURUANT TO APPELLATE RULE 10(e) (Doc. #215) -- MOTION AND BRIEF / MEMORANDUM OF LAW IN SUPPORT OF “PETITIONER’S AND CRIMINAL DEFENDANT’S MOTION TO CORRECT OR MODIFY THE RECORD PURUANT TO APPELLATE RULE 10(e)” (Doc.

#215)", is a true and correct copy of this federal court filing, Document 216-1, Filed 11/08/19, case no. 1:13-cr-00435-TDS, IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF NORTH CAROLINA.

4. As to **ATTACHMENT 2:** "Exhibit 2, Exhibit in attachment to "PETITIONER'S AND CRIMINAL DEFENDANT'S MOTION TO CORRECT OR MODIFY THE RECORD PURUANT TO APPELLATE RULE 10(e) (Doc. #215) -- MOTION AND BRIEF / MEMORANDUM OF LAW IN SUPPORT OF "PETITIONER'S AND CRIMINAL DEFENDANT'S MOTION TO CORRECT OR MODIFY THE RECORD PURUANT TO APPELLATE RULE 10(e)" (Doc. #215)", is a true and correct copy of this federal court filing, Document 216-2, Filed 11/08/19, case no. 1:13-cr-00435-TDS, IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF NORTH CAROLINA.

5. As to **ATTACHMENT 3:** "Exhibit 3, Exhibit in attachment to "PETITIONER'S AND CRIMINAL DEFENDANT'S MOTION TO CORRECT OR MODIFY THE RECORD PURUANT TO APPELLATE RULE 10(e) (Doc. #215) -- MOTION AND BRIEF / MEMORANDUM OF LAW IN SUPPORT OF "PETITIONER'S AND CRIMINAL DEFENDANT'S MOTION TO CORRECT OR MODIFY THE RECORD PURUANT TO APPELLATE RULE 10(e)" (Doc. #215)", is a true and correct copy of this federal court filing, Document 216-3, Filed

11/08/19, case no. 1:13-cr-00435-TDS, IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF NORTH CAROLINA.

6. As to **ATTACHMENT 4:** "Exhibit 4, Exhibit in attachment to "PETITIONER'S AND CRIMINAL DEFENDANT'S MOTION TO CORRECT OR MODIFY THE RECORD PURUANT TO APPELLATE RULE 10(e) (Doc. #215) -- MOTION AND BRIEF / MEMORANDUM OF LAW IN SUPPORT OF "PETITIONER'S AND CRIMINAL DEFENDANT'S MOTION TO CORRECT OR MODIFY THE RECORD PURUANT TO APPELLATE RULE 10(e)" (Doc. #215)", is a true and correct copy of this federal court filing, Document 216-4, Filed 11/08/19, case no. 1:13-cr-00435-TDS, IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF NORTH CAROLINA.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on January 26, 2023.

Brian D. Hill
Signed
Brian D. Hill

Brian D. Hill
Defendant
Former news reporter of U.S.W.G.O. Alternative News
Ally of Q
310 Forest Street, Apartment 2
Martinsville, Virginia 24112
(276) 790-3505
JusticeForUSWGO.NL or JusticeForUSWGO.wordpress.com

Exhibit 1

USWGO
QANON // DRAIN THE SWAMP
MAKE AMERICA GREAT AGAIN

U.S.W.G.O.

UNITED STATES DISTRICT COURT CASE NO. 1:13-CR-435-1
MIDDLE DISTRICT OF NORTH CAROLINA

Exhibit in attachment to "PETITIONER'S AND CRIMINAL DEFENDANT'S MOTION TO CORRECT OR MODIFY THE RECORD PURUANT TO APPELLATE RULE 10(e) (Doc. #215) -- MOTION AND BRIEF / MEMORANDUM OF LAW IN SUPPORT OF "PETITIONER'S AND CRIMINAL DEFENDANT'S MOTION TO CORRECT OR MODIFY THE RECORD PURUANT TO APPELLATE RULE 10(e)" (Doc. #215)"

In the United States District Court
For the Middle District of North Carolina

Brian David Hill, Petitioner/Defendant	
	Criminal Action No. 1:13-CR-435-1
v.	
	Civil Action No. 1:17-CV-1036
United States of America, Respondent/Plaintiff	

DECLARATION OF ROBERTA HILL IN SUPPORT OF "PETITIONER'S AND CRIMINAL DEFENDANT'S MOTION TO CORRECT OR MODIFY THE RECORD PURUANT TO APPELLATE RULE 10(e)"

I, Roberta Hill, declare pursuant to Title 28 U.S.C. § 1746 and subject to the penalties of perjury, that the following is true and correct:

I, Roberta Hill, was present at the hearing on September 12, 2019, and I did testify for the defendant. There were omissions of a few testimonies on the transcript for that hearing. I remember hearing the attorney Ms. Pryor ask officer Jones if Brian Hill was being obscene on the night of September 21st and he replied that he wasn't obscene. Another question that wasn't in the transcript was when Ms. Pryor asked officer Jones what was in the backpack and he replied that there was a camera, clothes and a watch.

This is what I believe was omitted from the Transcript that should have been part of that transcript.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on November 7, 2019.

Respectfully submitted,

Roberta Hill

Signed
Roberta Hill
310 Forest Street, Apt. 1
Martinsville Virginia 24112

Exhibit 2

USWGO
QANON // DRAIN THE SWAMP
MAKE AMERICA GREAT AGAIN

U.S.W.G.O.

UNITED STATES DISTRICT COURT CASE NO. 1:13-CR-435-1
MIDDLE DISTRICT OF NORTH CAROLINA

Exhibit in attachment to "PETITIONER'S AND CRIMINAL DEFENDANT'S MOTION TO CORRECT OR MODIFY THE RECORD PURUANT TO APPELLATE RULE 10(e) (Doc. #215) -- MOTION AND BRIEF / MEMORANDUM OF LAW IN SUPPORT OF "PETITIONER'S AND CRIMINAL DEFENDANT'S MOTION TO CORRECT OR MODIFY THE RECORD PURUANT TO APPELLATE RULE 10(e)" (Doc. #215)"

In the United States District Court
For the Middle District of North Carolina

Brian David Hill,	)	
Petitioner/Defendant	)	
	)	**Criminal Action No. 1:13-CR-435-1**
v.	)	
	)	**Civil Action No. 1:17-CV-1036**
United States of America,	)	
Respondent/Plaintiff	)	

DECLARATION OF BRIAN DAVID HILL IN SUPPORT OF "PETITIONER'S AND CRIMINAL DEFENDANT'S MOTION TO CORRECT OR MODIFY THE RECORD PURUANT TO APPELLATE RULE 10(e)"

I, Brian David Hill, declare pursuant to Title 28 U.S.C. § 1746 and subject to the penalties of perjury, that the following is true and correct:

I was at the hearing on September 12, 2019, at the Winston-Salem Federal Courthouse, Courtroom 2, and had been present at that hearing while I, Brian David Hill had been present with Renorda Pryor (Attorney) for the case of the Supervised Release Violation.

I had remembered things that were mentioned verbally at the hearing that had not been inside of the transcript file "09-12-19 USA v. Brian D. HIll.pdf" produced by Court Reporter named Briana Bell. I had concerns about this and had produced this federal affidavit on what I believed was omitted on the record by error.

This is what I believe was omitted from the Transcript that should have been part of that transcript:

(1) The Assistant U.S. Attorney Anand Prakash Ramaswamy had made a statement or had asked witness Roberta Hill about "Wikipedia" in response to her testimony about "carbon monoxide" in regards to her testimony explaining her research into carbon monoxide, and as to why she thought Brian had exhibited the weird behavior on September 21, 2018. The mentioning of "Wikipedia" by Anand Prakash Ramaswamy was omitted from the Transcript. At least I believe that it was Anand Prakash Ramaswamy as I do not see Renorda Pryor trying to mention the term "Wikipedia" in regards to my mother's claim about carbon monoxide and things she had researched on the internet. I did see her research about carbon monoxide, she had printed PDF files for me in regards to the National Institute of Health and the other articles including one from the Centers for Disease Control. That is why I still remember the words quite clearly about hearing an attorney mention the word "Wikipedia" or something like "it was probably found on Wikipedia" or "it was probably from Wikipedia" or something to that affect. From the Transcript however, the Judge mentioned about "Wikipedia" with no source of that word "Wikipedia" in the Transcript. Shows that the word "Wikipedia" was mentioned by somebody at the hearing/proceeding on the record but I believe it was erroneously omitted from the official transcript. The Judge said on page 58 of that Transcript: "*THE COURT: I mean, it's not -- it's scientific evidence, and there's no indication she's qualified to -- I don't even know what her source was, whether it was Wikipedia or what have you*". Where did the judge get his opinion about "Wikipedia" in regards to Roberta Hill when it was not mentioned in the Transcript in any other page? I believe anybody who mentioned about the word "Wikipedia" or any comment of "came from Wikipedia" or anything to that affect

came before "The Court" made that comment about "*whether it was Wikipedia or what have you*".

I was also worried that the part of the transcript that I believe was omitted from that particular record, was about the comment about Wikipedia. I was so angry at Ramaswamy over the "Wikipedia" comment that I had made two written statements about that at an earlier time which of course would be my earlier testimony about my viewpoint and response against what I had felt like was that Anand Prakash Ramaswamy had called all of my mother's hard work and research with me being present and witnessing the PDF file printouts of the credible research articles on carbon monoxide poisoning being demeaned as simply sourced from "Wikipedia".

Citing Document #195, Filed 09/30/19, Page 3 of 4:

"The transcripts still have not yet been furnished by the Court Reporter of that hearing, but Assistant United States Attorney Anand Prakash Ramaswamy ("Ramaswamy") had made a verbal claim at that Final Revocation Hearing that the claimed Carbon Monoxide research was found on Wikipedia on the internet in an attempt to discredit both Roberta Hill (the witness) and Brian David Hill (the Defendant). Exhibit 3 under Document #181-4, was material that was researched by family and was cited from the National Institute of Health, a federal government organization of the United States. If you had noticed the little text in Case 1:13-cr-00435-TDS Document 195 Filed 09/30/19 Page 3 of 20 that exhibit, it says "...ncbi-nlm.nih.gov..." which is a federal government domain name. It also cites reliable sources such as "Kent Olson, MD, FACEP, FACMT, FACCT, Medical Director and Clinical Professor of Medicine & Pharmacy# and Craig Smollin, MD, Assistant Medical Director and Clinical Professor of Medicine". That was not from "Wikipedia" as Ramaswamy had claimed at the SRV revocation hearing. The Judge would have had access to that document (Document #181-4) and didn't care to correct Ramaswamy on the fact that none of the research materials presented in Document #181 and attachments were from this alleged "Wikipedia". That was a lie/falsehood by Ramaswamy and the judge knew that was a lie but he had decided to defend or protect Ramaswamy and ignore the testimony of both Roberta Hill and United States Probation Officer

Jason McMurray ("McMurray") to give Defendant the maximum punishment for this revocation. Exhibit 6 from Document #181-7 was sourced from the Centers for Disease Control ("CDC") which is also a well-respected federal government agency that deals with public health and safety. So Ramaswamy was attempting to demean these federal agencies as calling them collectively, "Wikipedia" type of source when he had questioned witness Roberta Hill on the stand in an attempt to discredit Brian David Hill's claims and Roberta Hill to make them out to be either incompetent, not credible, or liars."

Cited from Document #199, Filed 10/04/2019, Page 23 of 26:

"*2. Attached hereto as Exhibit 2, is a true and correct photocopy of a printout of "Autism Spectrum Disorder Fact Sheet"; Prepared by: Office of Communications and Public Liaison, National Institute of Neurological Disorders and Stroke, National Institutes of Health in Bethesda, MD 20892. "All NINDS-prepared information is in the public domain and may be freely copied. Credit to the NINDS or the NIH is appreciated." <u>This did not come from Wikipedia</u>. Total of 9 pages.*"

It is ironic that after I had filed two different pleadings with my statements about "Wikipedia" as I was upset about that comment at that hearing and felt that the research from my family of credible sources was all demeaned to simply being sources of this alleged "Wikipedia".

I do also remember Officer Robert Jones talking about a backpack, a watch (or a pocket watch), flashlights, and clothes in my backpack.

The last thing I remembered with my own eyes and ears from the hearing, I was right beside Renorda Pryor at the defense table, and she clearly asked the Government's witness "Robert Jones" about if I was being obscene at the time and the witness responding by saying no or I don't think he was. I thought that was really important as I knew that was said verbally at that hearing and I know Renorda had brought up that question. Even before the hearing, I, Roberta Hill, Stella Forinash, and Kenneth Forinash were all meeting to discuss the case in the

federal courthouse building and we mentioned about questions Renorda could ask the Officer and one of them was about whether or not I was obscene. So I am aware that Renorda was going to ask that question in the courtroom and that I had saw the words come out of her mouth when she had asked the witness Officer Sergeant Robert Jones, as to if he thought I was being obscene at that time and he didn't think that I was being obscene. I know this from my own personal knowledge to the best of my abilities.

I wish that had come in the transcript, and I am disappointed to remember my own Attorney asking that question but the question and answer was omitted from the transcript file from Briana Bell.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on November 6, 2019.

Respectfully submitted,

Brian D. Hill
Signed

Signed
Brian D. Hill (Pro Se)
310 Forest Street, Apartment 1
Martinsville, Virginia 24112
Phone #: (276) 790-3505

U.S.W.G.O.

Former U.S.W.G.O. Alternative News reporter
I stand with QANON/Donald-Trump – Drain the Swamp

Exhibit 3

USWGO
QANON // DRAIN THE SWAMP
MAKE AMERICA GREAT AGAIN

U.S.W.G.O.

UNITED STATES DISTRICT COURT CASE NO. 1:13-CR-435-1
MIDDLE DISTRICT OF NORTH CAROLINA

Exhibit in attachment to "PETITIONER'S AND CRIMINAL DEFENDANT'S MOTION TO CORRECT OR MODIFY THE RECORD PURUANT TO APPELLATE RULE 10(e) (Doc. #215) -- MOTION AND BRIEF / MEMORANDUM OF LAW IN SUPPORT OF "PETITIONER'S AND CRIMINAL DEFENDANT'S MOTION TO CORRECT OR MODIFY THE RECORD PURUANT TO APPELLATE RULE 10(e)" (Doc. #215)"

In the United States District Court
For the Middle District of North Carolina

Brian David Hill,	)	
Petitioner/Defendant	)	
	)	**Criminal Action No. 1:13-CR-435-1**
v.	)	
	)	**Civil Action No. 1:17-CV-1036**
United States of America,	)	
Respondent/Plaintiff	)	
	)	
	)	

DECLARATION OF STELLA FORINASH IN SUPPORT OF "PETITIONER'S AND CRIMINAL DEFENDANT'S MOTION TO CORRECT OR MODIFY THE RECORD PURUANT TO APPELLATE RULE 10(e)"

I, Stella Forinash, declare pursuant to Title 28 U.S.C. § 1746 and subject to the penalties of perjury, that the following is true and correct:

I was at the hearing on September 12, 2019, at the Winston-Salem Federal Courthouse, Courtroom 2, and had been present at that hearing while Brian David Hill had been present with Renorda Pryor (Attorney) for the case of the Supervised Release Violation.

I had remembered things that were mentioned verbally at the hearing that had not been inside of the transcript file "09-12-19 USA v. Brian D. HIll.pdf" produced by Court Reporter named Briana Bell. I had concerns about this and had produced this federal affidavit on what I believed was omitted on the record by error.

This is what I believe was omitted from the Transcript that should have been part of that transcript:

Attorney Pryor asked Sgt. Jones **if Brian was being obscene. His answer was "No".** Attorney Pryor **asked Sgt. Jones what was in the backpack, and his answer was something like "camera, watch & his clothes".** We talked about this on the way home that day, and after we got home, I took notes and sent my notes in PDF format to one of our friends in email on 9/14/2019. We think it's important to have everything that is in the transcript, and so we **paid $388** to get an accurate copy as soon as possible. This copy was sent to our daughter's email. When she sent an email back asking for corrections, this was denied. We paid for a double spaced 81 page transcript to be emailed to us within 7 days, and some very important information is left out that all 4 in our family remember that was said in court on September 12, 2019. Another part that was left out of this transcript was when my daughter, Roberta testified about the carbon monoxide and how Brian was acting & feeling after being exposed to this in Brian's apartment for almost a year. She was talking about USA government documents explaining to Americans about the dangers of carbon monoxide gas exposure short term & long term health effects, and Brian filed these documents to the court and is on pacer. Check these document for proof: **Case 1:13-cr-00435-TDS Document 181 Filed 07/22/19 Page 1-10 of 10: Document 181-4 Filed 07/22/19 Page 1-6 of 6; Document 181-5 Filed 07/22/19 Page 1-3 of 3; Document 181-6 Filed 07/22/19 Page 1-5 of 5** and more. It was left out of the transcripts where **Anand Ramaswamy said something like she probably got the information about carbon monoxide from Wikipedia.** It's real important to correct these 3 items which should be on the original transcript. Thank you.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on November 6, 2019.

Respectfully submitted,

Stella B Forinash

Signed
Stella Forinash

Back

Brian's court case yesterday

Ken & Stella

To: Eric S. Clark

Cc: Roberta Hill

Bcc: Stella Burnette Forinash

Hi Eric,

Sorry we haven't been keeping in touch, but I want to thank you for everything you are and have done to help Brian with his court cases. I typed something up tonight about yesterday's trial and wanted to share this with you & Roberta. I'm putting it in PDF file from what happened yesterday. We're all looking forward to seeing the transcripts. After reading it, if you have time, we would appreciate your feedback on it.

Thanks,

Stella & Ken (Brian's grandparents)

Brian's Martinsville...

Brian's Martinsville, VA case:

Martinsville Police testimony in federal court in NC

1. Police said he got a search warrant to look at Brian's camera. If true, Brian would be very unique.
2. When Brian's attorney asked if Brian told him he could look at the camera & SD card with pictures. His answer was "Yes".
3. The policeman said that Brian told him that the man in the hoodie gave him the camera, yet the card showed three male photos and a copy of the invisible request to give to the prosecution officer.
4. On the way home, Brian told his family that he did not tell the policeman that because it was his camera.
5. Police made it look like Brian was standing in front of 10 almost which is opposite 24 hours.
6. Brian's attorney said that in the photo, it looked like Brian was far away from Walmart on the walking trail behind Bruce & Harrison Restaurant (both are closed midnight until 6 AM). If someone is on this trail, it is hidden from the main road. Photos show lighted 10 almost signs, but no one can see someone on this private trail day or night.
7. Police showed a [redacted] time photo of cars parked near the trail. Midnight till 3 AM it's dark. He should have used a photo of that parking lot at night which is admitted only be. Bruce said another policeman says the only cars on the trail.
8. Prosecuting attorney was saying something about Brian being on the Dick & Willie Trail which is a park where children go. Would children be on this trail from midnight to 3 AM? When Brian's attorney asked if the police saw anyone else on the trail, his answer was "No". The fact is that the Dick & Willie Trail is not a park. It is a hiking or bike riding trail that is 4.5 miles. There is no play equipment at all on the walking trail.
9. Brian's attorney asked if Brian was obscene. His answer was "No".
10. The attorney asked the police if Brian told him that he had "smoked". Answer was "Yes". Question: Brian's family would like answered is: Did he give Brian his Miranda Rights? That question wasn't asked. Next question "Who have Brian told

Brian's court case yesterday

From: Ken & Stella (kenstella2007@yahoo.com)

To: eric@whitestone[redacted]

Cc: rbhill67@yahoo.com

Bcc: kenstella@comcast.net

Date: Saturday, September 14, 2019, 12:03 AM EDT

Hi Eric,

Sorry we haven't been keeping in touch, but I want to thank you for everything you are and have done to help Brian with his court cases. I typed something up tonight about yesterday's trial and wanted to share this with you & Roberta. I'm putting it in PDF file from what happened yesterday. We're all looking forward to seeing the transcripts. After reading it, if you have time, we would appreciate your feedback on it.

Thanks,

Stella & Ken (Brian's grandparents)

Brian's Martinsville case in the federal court in NC.pdf
704.8kB

Exhibit 4

USWGO
QANON // DRAIN THE SWAMP
MAKE AMERICA GREAT AGAIN

U.S.W.G.O.

UNITED STATES DISTRICT COURT CASE NO. 1:13-CR-435-1
CIVIL CASE NO. 1:17-CV-1036
MIDDLE DISTRICT OF NORTH CAROLINA

Exhibit in attachment to "PETITIONER'S AND CRIMINAL DEFENDANT'S MOTION TO CORRECT OR MODIFY THE RECORD PURUANT TO APPELLATE RULE 10(e) (Doc. #215) -- MOTION AND BRIEF / MEMORANDUM OF LAW IN SUPPORT OF "PETITIONER'S AND CRIMINAL DEFENDANT'S MOTION TO CORRECT OR MODIFY THE RECORD PURUANT TO APPELLATE RULE 10(e)" (Doc. #215)"

In the United States District Court
For the Middle District of North Carolina

Brian David Hill, Petitioner/Defendant	)	
	)	**Criminal Action No. 1:13-CR-435-1**
v.	)	
	)	**Civil Action No. 1:17-CV-1036**
United States of America, Respondent/Plaintiff	)	

DECLARATION OF KENNETH FORINASH IN SUPPORT OF "PETITIONER'S AND CRIMINAL DEFENDANT'S MOTION TO CORRECT OR MODIFY THE RECORD PURUANT TO APPELLATE RULE 10(e)"

I, Kenneth Forinash, declare pursuant to Title 28 U.S.C. § 1746 and subject to the penalties of perjury, that the following is true and correct:

I was at the hearing on September 12, 2019, at the Winston-Salem Federal Courthouse, Courtroom 2, and had been present at that hearing while Brian David Hill had been present with Renorda Pryor (Attorney) for the case of the Supervised Release Violation.

I had remembered things that were mentioned verbally at the hearing that had not been inside of the transcript file "09-12-19 USA v. Brian D. HIll.pdf" produced by Court Reporter named Briana Bell. I had concerns about this and had produced this federal affidavit on what I believed was omitted on the record by error.

This is what I believe was omitted from the Transcript that should have been part of that transcript:

Brian's attorney, Renorda Pryor, asked Officer Robert Jones if Brian was obscene, and his answer was that he was not.

She asked the officer what Brian had in his backpack and he said he had a camera, a watch and clothes.

When Mr. Ramaswamy questioned Roberta Hill he mentioned that she may have gotten the information about Carbon Monoxide exposure from Wikipedia.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on November 6, 2019.

Respectfully submitted,

Kenneth R. Forinash

Signed
Kenneth R. Forinash, TSgt, USAF, Ret

Received On 1/27/2023 By User: jnunn Circuit Court Clerk's Office Martinsville, VA Jean P. Nunn, Clerk

LETTER TO CLERK OF MARTINSVILLE CIRCUIT COURT
RE: CASE NO: CR19000009-00
CC: Court of Appeals of Virginia;
RE: Case nos. 1424-22 and 1425-22

Friday, January 27, 2023

ATTN: Hon. Jean P. Nunn Clerk of the Court Martinsville Circuit Court 55 W. Church Street Martinsville, VA 24114-1206	Phone: (276) 403-5106 Fax: (276) 403-5232

Hon. Jean P. Nunn,

Congratulations on becoming the interim Clerk. I am filing this letter with very important information, very serious information. I will also file this letter with the Court of Appeals of Virginia in cases no. 1424-22 and 1425-22.

I would like to make sure as a litigant in this case that the due process of law is being followed, as both the U.S. Constitution and Virginia Constitution gives every citizen of this great Commonwealth, and every citizen of this great country of the United States of America, the right to procedural due process of law as well as the substantive due process of law.

On January 17, 2023, before the Court of Appeals of Virginia's ("CAV") 40 day deadline for filing an appeal brief in both appeal cases which that deadline was set for January 31, 2023, I was unable to file any briefs or designations or anything because the entire record of the Trial Court was not transmitted on December 13, 2022 in both appeal cases. Referring to Ashby R. Pritchett who didn't transmit the entire record.

I had filed two motions asking to restart both appeals on the basis that I was not given access to the entire record of the Trial Court which means both the CAV and the Appellees would also not have been given access to the entire record of the Trial Court. It was incomplete in both appeal cases when the record was transmitted in December, 2022. I had provided evidence to the CAV that the record was incomplete. After I had filed pleadings of my concerns about the incomplete record, I had feared that Ashby

Pritchett could have been angry or could retaliate in some way somehow, so I only filed these concerns with the CAV on January 17, 2023, as well as copies to Appellees/Respondents and see what the CAV wanted to do regarding those matters of concern.

As the Hon. Ashby R. Pritchett is not the Clerk of the Trial Court any longer, I will go ahead and put in this letter my request which was also in my motions for restarting both appeals. Requests to the CAV for the CAV to request from your office the entire record, not an incomplete record.

Once the CAV makes a decision to both my motions to restart the appeals, and if they are granted then the CAV asks your office for the complete record of the Trial Court, I request that it be the complete record of the Trial Court meaning:

1. All records from the beginning of the criminal case to the end of the criminal case at the time the request comes in from the CAV for the entire record of the Trial Court. Including the records from the General District Court transferred to this criminal case. And sealed records too through whatever procedure your Court has for transmitting the sealed records securely to the Court of Appeals of Virginia (CAV).

2. Including the very motions (New Trial on evidence disproving elements of prosecution, other Motion for New Trial on JaCody Cassell and his business The Chimney Sweep being the culprit of the carbon monoxide gas poisoning) which the Hon. Giles Carter Greer had denied last year, since those denied motions were not in the transmitted record of the Trial Court transmitted last month. It makes sense that the record should include the very same motions which were denied by the Judge, otherwise the record is like Swiss cheese. No appeal can function in any supervisory Court of Law with a Swiss Cheese type of record from any Trial Court. Swiss cheese is full of holes, missing pieces, missing records, you get my analogy here.

3. CORRESPONDENCES as always. Since the Judge didn't really interpret or state on the record what specifically which pending motions were denied in the two orders in September 2022, the Hon. Ashby R. Pritchett had explained in one correspondence that the Judge denied the “motions” meaning two Motions for New Trial, I assume. So correspondences is also important in the record of the Trial Court as those correspondences which

are also records are needed for the Court of Appeals to determine which motions were denied by Judge Greer in his two orders. One correspondence which explains that multiple motions were denied was in email to rbhill67@comcast.net was Date: 9/13/2022, 10:47 AM, Subject: RE: Judge Greer's order, from Ashby Pritchett <apritchett@vacourts.gov> at the time he was the Clerk.

So I am only asking simply for the entire record of the Trial Court from start to finish to be submitted to the Court of Appeals of Virginia when they ask for the entire record if they grant my motions asking for restarting both appeals and for asking for the complete record to be transmitted by the Trial Court.

My only interest in all of this is protecting my Constitutional rights and in seeking for true justice under due process of law. My intent is not to disparage your office but to make sure that due process of law is being followed every step of the way in my criminal case in the Circuit Court for the City of Martinsville. Due Process of law matters above all else in every litigation.

Thank you for your time and attention to this matter.

Where We Go One We Go All (WWG1WGA), Nothing Can Stop What Is Coming (NCSWIC).



Brian D. Hill

God bless you,
Brian D. Hill
Ally of Q, Former news reporter of U.S.W.G.O. Alternative News
310 Forest Street, Apartment 2
Martinsville, Virginia 24112
(276) 790-3505
JusticeForUSWGO.NL or JusticeForUSWGO.wordpress.com

Received On 2/6/2023 By User: jnunn Circuit Court Clerk's Office Martinsville, VA Jean P. Nunn, Clerk

In The
Court of Appeals
Of Virginia

Brian David Hill,

Appellant,

v.

Commonwealth of Virginia, City of Martinsville

Appellee.

ON APPEAL FROM THE CIRCUIT COURT FOR THE CITY OF MARTINSVILLE

MOTION FOR CIRCUIT COURT / TRIAL COURT TO TRANSMIT COMPLETE RECORD OF THE TRIAL COURT

Brian David Hill – Ally of Q and Lin Wood
Founder of USWGO Alternative News
310 Forest Street, Apt. 2
Martinsville, Virginia 24112
(276) 790-3505
c/o: Rbhill67@comcast.net; Roberta Hill

Pro Se Appellant **– JusticeForUSWGO.wordpress.com**

SUMMARY

Brian David Hill, ("Appellant") files this MOTION asking the Court of Appeals of Virginia in this case to compel transmission of the complete record of the Trial Court from the new Clerk Hon. Jeanie Nunn of the Circuit Court for the City of Martinsville.

Appellant has no need to provide repetitive evidence as evidence of the Trial Court record being incomplete in this case was already proven in the Appellant's filed "MOTION TO RESTART APPEAL PROCESS AND RETRANSMIT THE RECORD OF THE TRIAL COURT IN APPEAL" and "MOTION FOR INQUIRY AND SANCTIONS AGAINST HON. ASHBY R. PRITCHETT, OFFICER OF THE TRIAL COURT IN APPEAL". All of them were filed on January 17, 2023.

Appellant is grateful to this Court for an extension of time being granted, however this Court forgot to compel the Clerk of the Circuit Court to transmit the entire record of the Trial Court to this Court of Appeals. **Procedural due process requires complete record of the Trial Court if the record is available and had not been destroyed.**

Without the entire record of the Trial Court, it is impossible to file and comply with all Court rules concerning an Appellant's Designation of the record, and the appeal brief itself. It is impossible to comply with the rule requirements of citing the issues preserved for appeal upon any preliminary review without a complete record

of the Trial court.

Appellant had already proven in multiple motions filed on January 17, 2023 that the entire record of the Trial Court was not received in the Court of Appeals of Virginia on December 14, 2022, but was an incomplete record.

It is obvious and common sense to believe that the record of the Trial Court was incomplete in this case because the very MOTIONS which were denied are not in the transmitted record in this case (yes multiple motions for New Trial were denied and multiple motions were denied asking for the Commonwealth Attorney to respond according to former Clerk Ashby R. Pritchett in email correspondence with rbhill67@comcast.net since Judge Greer did not go into details in his order as to what motions he denied, proof correspondence attached to this motion as evidence). Because the very motions which were denied were not even in the transmitted record from Hon. Ashby R. Pritchett, there is no ability for me to demonstrate any merits in filing an appeal brief with no complete record of the Trial Court. The clerks expect me to comply with the rules including citation of the record and citation of the issues preserved for appeal. That is impossible and I cannot comply with those rules without the COMPLETE record of the Trial Court, this deprives me of due process of law. I do not have the complete record of the Trial Court. Appellant had proven this in four different appeals in this very Court (See CAV Cases no. 1424-22-3, 1425-22-3, 0289-22-3 and 0290-22-3). This Court does not have a complete record of the Trial Court, how many times does Appellant have to repeat this like a parrot

at a bird shop or pet store before anybody realizes this. The Clerks who work at the Court of Appeals of Virginia, this honorable Court, does not have the complete record of the Trial Court in this case.

The attached email record further proves that correspondences were not in the incomplete record of the Trial Court, correspondences which proves to this Court that multiple motions for new trial were denied, not one motion. The judicial officer Hon. Giles Carter Greer made it confusing by not ever clarifying which multiple motions were denied, made it appear that only one motion was denied but the Clerk of the Trial Court said multiple motions were denied. All I know was that Appellant had filed multiple motions for new trial, multiple motions asking for a response from the Commonwealth, and all four of them were denied by Hon. Giles Carter Greer.

For the sake of brevity, Appellant will not reiterate all of the text and evidence exhibits from the filed (1) "MOTION TO RESTART APPEAL PROCESS AND RETRANSMIT THE RECORD OF THE TRIAL COURT IN APPEAL" and (2) "MOTION FOR INQUIRY AND SANCTIONS AGAINST HON. ASHBY R. PRITCHETT, OFFICER OF THE TRIAL COURT IN APPEAL". Appellant hereby incorporates by reference, as if fully set forth herein, all of the (1) "MOTION TO RESTART APPEAL PROCESS AND RETRANSMIT THE RECORD OF THE TRIAL COURT IN APPEAL" and (2) "MOTION FOR INQUIRY AND SANCTIONS AGAINST HON. ASHBY R. PRITCHETT, OFFICER OF THE TRIAL COURT IN APPEAL" evidence exhibits, text, arguments, and citations.

Procedural due process of law requires in criminal cases (this direct appeal is of a criminal case) that this Court of Appeals of Virginia as well as the Trial Court submit the complete record of the Trial Court including all court records of the arrest, correspondences with court officials including clerks, motions, notices, prosecutorial filings with the Court, Defendant's filings, judgements and orders, decrees, evidence, and any transcripts if available.

See State v. Means, No. 09-489, 4 (La. Ct. App. Dec. 9, 2009) ("Both this court and the United States Supreme Court have made clear that a criminal defendant has a right to a complete transcript of the trial proceedings, particularly where appellate counsel was not counsel at trial. State v. Deruise, 98-0541, p. 11 (La. 4/3/01), 802 So.2d 1224, 1234, cert. denied, 534 U.S. 926, 122 S.Ct. 283, 151 L.Ed.2d 208 (2001), citing Hardy v. United States, 375 U.S. 277, 84 S.Ct. 424, 11 L.Ed.2d 331 (1964) and State v. Robinson, 387 So.2d 1143 (La. 1980). The Louisiana State Constitution guarantees that "[n]o person shall be subjected to imprisonment . . . without the right of judicial review based upon a complete record of all evidence upon which the judgment is based." LSA-La.Const. art. I § 19. Additionally, in all felony cases, the clerk or court stenographer shall record all of the proceedings, including the examination of prospective jurors, the testimony of witnesses, statements, rulings, orders, and charges by the court, and objections, questions, statements, and arguments of counsel. LSA-C.Cr.P. art. 843.").

See Hardy v. United States, 375 U.S. 277, 285 (1964) ("…Court of Appeals

must provide the would-be appellant with both the assistance of counsel and a record of sufficient completeness to enable him to attempt to make a showing . . ." that the case presents a nonfrivolous issue. Coppedge v. United States, 369 U.S. 438, 446."). Coppedge v. United States, 369 U.S. 438, 456 (1962) ("For this reason, we have held that in such cases a Court of Appeals must provide the applicant with the assistance of counsel and with a record of sufficient completeness to give him full opportunity to show that the appeal is in "good faith." Johnson v. United States, supra; Farley v. United States, 354 U.S. 521.").

Appellant cannot file a Designation of the Record in good faith without the complete record which would prove a good faith appeal and cannot file an appeal brief demonstrating good faith and assignments of error without a complete record of the Trial Court to demonstrate the good faith issues of preservation of the issues for this appeal. Failure of the Trial Court to provide a complete record is a deprivation of procedural due process of law and creates a major prejudice for the Appellant. Deprives Appellant of due process of law as required by both United States Constitution 14th Amendment, and the Virginia Constitution's requirement of procedural Due Process of Law.

See Virginia Constitution, Article I, Section 11. Due process of law; obligation of contracts; taking or damaging of private property; prohibited discrimination; jury trial in civil cases. (November 6, 2012) ("That no person shall be deprived of his life, liberty, or property without due process of law…").

If the Trial Court still refuses to transmit the complete record despite the fact they did not destroy any record per se but just simply refused to transmit all records they retain in their possession, then Appellant requests that he be permitted to supplement the record with an affidavit or Declaration under penalty of perjury as to the supplementation of the record necessary for this appeal to move forward. See State v. Tilton, 149 Wn. 2d 775, 783 (Wash. 2003) ("The usual remedy for a defective record is to supplement the record with appropriate affidavits and have discrepancies resolved by the judge who heard the case.").

Other case law suggests the same thing, that incomplete records of the case to be reviewed by a supervisory Court or higher Court is deprivation of procedural due process of law or violates due process of law or both. See Higgins v. Kelley, 574 F.2d 789, 793 (3d Cir. 1978) ("Therefore, the record was incomplete when it came up for review in the district court. In view of our holding in Twiggs v. United States Small Business Administration, supra, that district court review of an incomplete record does not satisfy the procedural requirements of the Administrative Procedure Act, 5 U.S.C. § 706(2)(D), the agency's refusal to honor Higgins' request for production of documents erroneously denied him his procedural rights.")

This Court would be depriving Appellant of due process of law if Appellant is required to prosecute his appeal with less than a complete record. See State v. Dupris, 373 N.W.2d 446, 449 (S.D. 1985) ("On remand of the new trial motion, the trial court decided, inter alia, that Dupris would be denied due process if she was

required to prosecute her appeal with less than a complete record. Based on the facts of this particular case, we agree. The trial court's adjudication for a new trial was not an abuse of discretion."). See Winston v. Kelly, 592 F.3d 535, 555-56 (4th Cir. 2010) ("If the record ultimately proves to be incomplete, deference to the state court's judgment would be inappropriate because judgment on a materially incomplete record is not an adjudication on the merits for purposes of § 2254(d). Wilson, 577 F.3d at 1292; Drake, 321 F.3d at 345. New, material evidence, introduced for the first time during federal habeas proceedings, may therefore require a de novo review of petitioner's claim.").

Appellant had been prejudiced by the incomplete record of the Trial Court.

The prejudices Appellant had suffered are as follows:

1. Appellant's entire evidence exhibits and proof, as well as legal arguments and all preserved issues for appeal as to the motions for new trial which Appellant filed with the Clerk of the Court prior to the Hon. Giles Carter Greer the judicial officer denying those motions. The prejudice is that there is no evidence or proof for this Court to review because of the incomplete record of the Trial Court. This Court would not know of what was denied, what was offered as evidence or proof, what is admissible and what was inadmissible, this Court would know nothing except only the Orders and what was filed after those Orders.

2. The very motions filed by Appellant and was denied by Judge Greer

would not be known to this Court. The evidence would not be known to this appellate Court. The only records this Court will be able to review are the orders, and the notices of appeal and a letter. The only records this Court will be aware of is severely limited records such as:

CITATION from record transmitted in case no. 1424-22-3, for example:

Manuscripts:

FINAL ORDER - DENY MOTION LACK JURISDICT 09/07/2022 1 - 1

ORDER - DEN MOT COMM RESPOND M/J 09/13/2022 2 - 3

AFFIDAVIT - INDIGENCE 09/19/2022 4 - 5

NOTICE - APPEAL (1) 09/19/2022 6 - 26

AFFIDAVIT - INDIGENCE 09/19/2022 27 - 28

NOTICE - APPEAL (2) 09/19/2022 29 - 53

LETTER - COURT OF APPEALS-TRANS REC 11/30/2022 54 - 54

The only records this Court will be able to review are the order and nothing prior to that Court Order. This is definitely an incomplete record. Common sense says such, the orders denying motions not in the incomplete record demonstrates that due process of law rights guaranteed by the two Constitutions (of the United States and of Virginia) had been violated and deprived for Appellant.

3. The prejudice Appellant will suffer is that assignments of error, statement of the facts, and the merits cannot even be adjudicated and

reviewed with the severity of the incomplete record. This Court knows that it is incomplete due to pending appeals under cases no. 0289-22-3 and 0290-22-3. See the records of the appeal for those cases. That itself demonstrates an incomplete record in this case, in both cases no. 1424-22-3, and 1425-22-3. The Clerks normally require by the rules of proper citation to the areas of the record for showing the preservation of the issues and areas of the record containing evidence or other proper citations for prosecution of the appeal. Absent a complete record, this Court has nothing to review other than an order de novo without any prior record or documentation for this Court to make any proper determination on the matters of law, the matters of evidence and facts, and the matters of merit. Appellant has been prejudiced to such a severe extent that merits cannot be shown or proven on the record, prosecution of the appeal is impossible. The prejudice is that Appellant lost all of his constitutional rights to due process of law by the incomplete record. Appellant could file an appeal brief on the basis of matters not in the record and then this Court would have to guess what was in the record. The record hasn't been destroyed, the case files are still in the Trial Court, this Court can clearly ask for all records to resolve this issue. Would this Court want to guess what is true and what is not true based on an incomplete record when the original court has destroyed no

records and past records submitted by the Trial Court already demonstrates incompleteness in this appeal case?

It is impossible for this Court of Appeals of Virginia (CAV) to review over the case and make a correct decision for this appeal without the complete record of the Trial Court. The duty and responsibility of those records lies with the Clerk of the Circuit Court for the City of Martinsville. The former Clerk who serially filed four false certifications of transmitting the complete record of the Trial Court was none other than Hon. Ashby R. Pritchett, and the new Clerk Hon. Jeanie Nunn has the opportunity to correct the mistakes of Ashby R. Pritchett, and transmit the complete record. It is impossible to prosecute this appeal without the complete record, and it would be impossible for this Court to review over any assignments of error without a complete record of the Trial Court. See Com. v. Williams, 552 Pa. 451, 459 (Pa. 1998) ("The Superior Court affirmed the judgment of sentence and held that the appellant's failure to supply the Court with a complete record made it impossible to review of the first issue…")

The records clearly are not destroyed, they are not lost, but simply they were not all transmitted in their entirety. In criminal cases, an Appellant has an even greater constitutional rights and protections under both procedural due process of law and substantive due process of law. That includes procedurally the right to a complete record of the Trial Court. Appellant has a due process right to the complete

record of the Trial Court. The records of the Trial Court have not reportedly been destroyed, they are in the Trial Court itself, but simply Ashby Pritchett filed four false certifications. They are electronic records and/or physical records. The Trial Court does store electronic court filings, and so the Trial Court has the complete records, but they were not transmitted to the Court of Appeals of Virginia in this case, in both cases no. 1424-22-3 and 1425-22-3.

Appellant asks this Court again for the complete record of the Trial Court, as Appellant has the evidence as to the incompleteness of the record, and this Court has the evidence in pending appeal cases no. 0289-22-3 and 0290-22-3. Evidence had been submitted in good faith as to motions filed by Appellant on January 17, 2023, evidence beyond a reasonable doubt, evidence of an incomplete record, false certifications from the Hon. Ashby R. Pritchett before he left office in 2023, and Hon. Jeanie Nunn was interim Clerk of the Trial Court. Appellant had proven the record was incomplete in four different appeal cases, if the proof is not sufficient then this Court can order the Appellant to file more evidence/proof, otherwise Appellant has provided more than enough evidence to warrant that the Trial Court Clerk be compelled to transmit the entire record of the Trial Court.

CONCLUSION

Appellant asks for the following relief in the foregoing case in the CAV:

1. That the former Clerk, Honorable Ashby R. Pritchett be inquired and investigated over four incomplete transmitted records and submitting

false statements in four certifications that the record transmitted was a complete record, when in fact it wasn't which is a fraud on this Court four different times;

2. That the CAV file an order to conduct an inquiry into and possibly order any sanctions into the four false certifications to the Digital Appellate Record (DAR) filed and submitted by the former Clerk Ashby R. Pritchett of the Circuit Court;
3. **The new Clerk Hon. Jeanie Nunn be asked to transmit to this Court of Appeals of Virginia a complete record of the Trial Court and file the entire case records and all records within the control and possession of the Trial Court**;
4. And Appellant asks for any other relief or remedy that the Court of Appeals of Virginia may deem proper and just to resolve the issues laid before this Court to protect the due process of law and of any integrity of the judicial machinery in the Trial Court. Thank you. I appreciate your time and effort to fix this.

Appellant requests relief accordingly and asks for any other relief which the Court of Appeals of Virginia may deem proper and just for the issues raised.

Respectfully Filed/Submitted on February 3, 2023,

BRIAN DAVID HILL
Pro Se



Brian David Hill – Ally of Qanon
Founder of USWGO Alternative News
310 Forest Street, Apt. 2
Martinsville, Virginia 24112
(276) 790-3505
Pro Se Appellant
https://JusticeForUSWGO.wordpress.com
https://JusticeForUSWGO.nl

CERTIFICATE OF COMPLIANCE

1. This motion complies with type-volume limits:

[X] this motion contains [*3,035*] words.

[ ] this motion used 50 pages or less.

2. This motion complies with the typeface and type style requirements because:

[X] this motion has been prepared in a proportionally spaced typeface using [*Microsoft Word 2013*] in [*14pt Times New Roman*]; *or*

[ ] this motion has been prepared in a monospaced typeface using [*state name and version of word processing program*] with [*state number of characters per inch and name of type style*].

Brian D. Hill
Signed

Brian D. Hill

Dated: February 3, 2023

Brian David Hill – Ally of Qanon
Founder of USWGO Alternative News
310 Forest Street, Apt. 2 Martinsville,
Virginia 24112
(276) 790-3505
JusticeForUSWGO.wordpress.com
Pro Se Appellant

CERTIFICATE OF FILING AND SERVICE

I hereby certify that on this 3rd day of February, 2023, I caused this "MOTION FOR CIRCUIT COURT / TRIAL COURT TO TRANSMIT COMPLETE RECORD OF THE TRIAL COURT" and attached evidence to be delivered by email service by Assistant/Filing-Representative Roberta Hill using rbhill67@comcast.net or rbhill67@justiceforuswgo.nl to the Commonwealth of Virginia and City of Martinsville through the Commonwealth Attorney's Office of Martinsville City; as well as to the named counsel for the Office of the Attorney General; and the original was filed with the Clerk of the Supreme Court of Virginia by Virginia Court eFiling System (VACES) through Assistant/Filing-Representative Roberta Hill which shall satisfy proof of service as required by Rule 5:1B(c) stating that "*Service on Other Parties by Email. – An electronic version of any document filed in this Court pursuant to Rule 5:1B(b) must be served via email on all other parties on the date the document is filed with the Court or immediately thereafter, unless excused by this Court for good cause shown. An e-filed document must contain a certificate stating the date(s) of filing and of email service of the document.*" And the proof that such pleading was delivered will be filed together with this MOTION shall satisfy the proof of service was required by Rule 5A:2(a)(1) and Rule 5A:1(c)(4):

1. Glen Andrew Hall, Esq.
55 West Church Street, P.O. Box 1311
Martinsville, Virginia 24112 or 24114 (for P.O. Box)
Telephone: 276-403-5470

Fax: 276-403-5478
Email: ahall@ci.martinsville.va.us

Counsel for Appellees'

2. Justin B. Hill, Esq.
202 North 9th Street
Richmond, VA 23219
Telephone: (804) 786-2071
Fax: (804) 786-1991
Email: jhill@oag.state.va.us

Counsel for Appellees'

The reason why Brian David Hill must use such a representative/Assistant to serve such pleading with the Clerk on his behalf is because Brian is currently still under the conditions of Supervised Release for the U.S. District Court barring internet usage without permission. Brian's Probation Officer is aware of Roberta Hill using her email for conducting court business concerning Brian Hill or court business with the Probation Office in regards to Brian David Hill. Therefore, Roberta Hill is filing the pleading on Brian's behalf for official court business. Brian has authorized Roberta Hill to file the pleading.

If the Court wishes to contact the filer over any issues or concerns, please feel free to contact the filer Brian David Hill directly by telephone or by mailing. They can also contact Roberta Hill at rbhill67@comcast.net and request that she forward the message and any documents or attachments to Brian David Hill to view offline for his review.



Brian David Hill – Ally of Qanon
Founder of USWGO Alternative News

310 Forest Street, Apt. 2 Martinsville, Virginia 24112
(276) 790-3505
JusticeForUSWGO.wordpress.com
Pro Se Appellant

Subject: RE: Judge Greer's order
From: Ashby Pritchett <apritchett@vacourts.gov>
Date: 9/13/2022, 10:47 AM
To: Roberta Hill <rbhill67@justiceforuswgo.nl>

Mrs. Hill,

Terry from my Office will be sending you a copy of Judge Greer's order, and copies of the amended Table of contents of the Motions filed by Brian with the Court of Appeals.

Judge Greer's Order denying Brian's motions doesn't end Brian's case with the Court of Appeals. Judge Greer's Order only declares that the Martinsville Circuit Court doesn't have jurisdiction (power to act) on Brian's motions. Everything Brian has filed has been sent to the Virginia Court of Appeals, who will make the judicial decision on his motions.

Ashby Pritchett, Clerk
Martinsville Circuit Court

Judge

From: Roberta Hill <rbhill67@justiceforuswgo.nl>
Sent: Monday, September 12, 2022 3:57 PM
To: Ashby Pritchett <apritchett@vacourts.gov>; Hon. Ashby R. Pritchett, Clerk of the Court <APritchett@courts.state.va.us>
Subject: Judge Greer's order
Importance: High

EXTERNAL EMAIL

THIS MESSAGE ORIGINATED FROM AN EXTERNAL ADDRESS. USE CAUTION CLICKING ON ANY LINKS OR DOWNLOADING ANY ATTACHMENTS

Martinsville Circuit Court ***(details)***

Subscribe

Case #: **CR19000009-00** Defendant: **HILL, BRIAN DAVID**

Pleadings/Orders

Seq. #	Date	Type	Party	Judge	Book & Page	Instrument	Remarks
158	09/08/2022	OTHER	TTM				TABLE OF CONTENTS-APPEALED
157	09/08/2022	OTHER	TTM				DIGITAL APPELATE REC SUBMT
156	09/07/2022	FINAL ORDER	ARP				DENY MOTION LACK JURISDICT
155	09/06/2022	MOTION	ARP				MJ NEW EVID J CASSELL
154	09/06/2022	MOTION	ARP				REQUEST CA RESPOND TO MJ
153	08/31/2022	OTHER	ARP				LITIGATION HOLD LETTER
152	08/31/2022	MOTION	ARP				JUDGMT OR ACQUITTAL OR TRL

Hon. Ashby Pritchett,

It said on Virginia's OCIS system that my son Brian David Hill's motion or last two motions for judgment of acquittal and possibly the motions asking for the Commonwealth's response were denied on September 7, 2022. Assuming that is what the order was about. The OCIS system said that order was dated as to being Wednesday of last week, but my son checked the mail today and still has not received Judge Greer's order. He received your transmittal document paper mailed on the 9th of September but

has not received a copy of Judge Greer's order.

He needs the order to understand what he should put in his notice of appeal he plans on filing.

I tried to send this message through xFinity but it is not working at the moment, so I am sending this message through my alternate email.

Please send a copy of the order for my son to review or he can call your office to arrange faxing it to him.

Thanks,
Roberta Hill

Subject: RE: Martinsville Circuit Court, Motion for Judgment of Acquittal or New Trial, Litigation hold letter, Motion requesting response, no. CR19000009-00, Commonwealth of Virginia et al v. Brian David Hill
From: Ashby Pritchett <apritchett@vacourts.gov>
Date: 8/31/2022, 11:57 AM
To: ROBERTA HILL <rbhill67@comcast.net>

Hello Mrs. Hill.

The PDF document attached to your earlier titled “MOTION REQUESTING COMMONWEALTH ATTORNEY RESPOND TO MOTION FOR JUDGMENT OF ACQUITTAL OR NEW TRIAL” was migrated to the case indexing and imaging system.
A copy of your e-mail, containing the hyperlinks to PDF documents titled “motion-new-trial-acquittal” and “Litigation-hold-letter-additional-evidence” was also recorded and scanned into the court file for Mr. Hill, file number CR19000009-00.
These records were submitted to the Court of Appeals yesterday. Because Mr. Hill’s case remains before the Virginia Court of Appeals, everything you submit is scanned and sent to that court for review, adding it to the appellate record.

Ashby Pritchett, Clerk

From: ROBERTA HILL <rbhill67@comcast.net>
Sent: Wednesday, August 31, 2022 10:44 AM
To: Hon. Ashby R. Pritchett, Clerk of the Court <APritchett@courts.state.va.us>; Ashby Pritchett <apritchett@vacourts.gov>; Martinsville City Commonwealth's Attorney <ahall@ci.martinsville.va.us>; Coen, Chris <ccoen@oag.state.va.us>
Subject: Re: Martinsville Circuit Court, Motion for Judgment of Acquittal or New Trial, Litigation hold letter, Motion requesting response, no. CR19000009-00, Commonwealth of Virginia et al v. Brian David Hill
Importance: High

EXTERNAL EMAIL

THIS MESSAGE ORIGINATED FROM AN EXTERNAL ADDRESS. USE CAUTION CLICKING ON ANY LINKS OR DOWNLOADING ANY ATTACHMENTS

I need clarification on what was filed.

Was the two motions filed and the litigation hold letter filed? or was it just the one motion asking for the Commonwealth to respond to the other motion?

There are two motions. One asking for new trial in disproving the elements of the charge. The other one asking for the Commonwealth to respond. The litigation hold letter as evidence is surfacing on a suspect or culprit in who him or his company employee(s) directly caused the poisoning of my son with carbon monoxide gas, long term exposure since October 5, 2017 until he left the home and was arrested for indecent exposure for having a medical emergency. The suspect (because we all know who did the chimney work at my Triplex, it was that chimney company, but proving that is quite a challenge) is JaCody Cassell because he has not admitted to causing the poisoning of my son but he lied to the Office of Attorney General in the Dispute Resolution Unit. He is trying to get away with causing the carbon monoxide which caused his indecent exposure. There should be an investigation

into him. That is why my son wants the litigation hold letter filed. My son wants this suspect criminally investigated for causing the metal tin to be placed on the chimney. That caused the long term exposure which eventually led to my son being charged and arrested with indecent exposure. My son will eventually file a motion based on this suspect and ask the State Police to intervene and arrest JaCody Cassell for being the cause of my son's indecent exposure due to his intoxication. Cassell didn't make Brian get naked, but he caused the intoxication of my son by not doing his job correctly and cutting corners in his business. The hospital failed to conduct the laboratory tests at Sovah Healh Martinsville and those tests would have proven involuntary intoxication which I believe may be a criminal defense in Virginia to a charge of indecent exposure.

motion-new-trial-acquittal-August-28-2022.pdf - https://justiceforuswgo.files.wordpress.com/2022/08/motion-new-trial-acquittal-august-28-2022.pdf
Litigation-hold-letter-additional-evidence.pdf - https://justiceforuswgo.files.wordpress.com/2022/08/litigation-hold-letter-additional-evidence.pdf - Has the signed check by suspect JaCody Cassell who his business The Chimney Sweep did chimney work on my Triplex on October 5, 2017

Please clarify whether the two motions and litigation hold letter was filed? Thanks

Thanks,
Roberta Hill

On 8/30/2022 7:12 AM, ROBERTA HILL wrote:

> Clerk of Circuit Court for the City of Martinsville,
> CC: Glen Andrew Hall, Esquire.
>
> I am Roberta Hill, Brian's mother. I am filing this Motion for Judgment of Acquittal or New Trial based upon new evidence, Motion requesting response from Commonwealth Attorney, and litigation hold letter regarding culprit Jacody Cassell of The Chimney Sweep who poisoned my son with carbon monoxide gas poisoning from October 5, 2017 until he left the home and was arrested. It is all being filed through email to you on Brian's behalf due to his federal probation conditions where he is not allowed to use the internet. He is having me file this pleading on his behalf. My son is having me to serve the respondents through email as well and the certificate of service is in the last page of the PDF file. This email is also being sent to the Respondents to serve them a copy of this pleading, and may also be faxed as well by Brian D. Hill in the event that email may fail.
>
> The new evidence of billing record, other records not previously been filed, it is too big for email and so links are provided to pleadings for the Clerk and Respondents to download.
>
> **Please Clerk download the linked pdf document filings and the Court will have the evidence that my son is not guilty of indecent exposure and cannot be convicted anymore.**
>
> motion-requesting-response-new-trial-acquittal-August-28-2022.pdf is attached in email
> motion-new-trial-acquittal-August-28-2022.pdf - https://justiceforuswgo.files.wordpress.com/2022/08/motion-new-trial-acquittal-august-28-2022.pdf
> Litigation-hold-letter-additional-evidence.pdf -

https://justiceforuswgo.files.wordpress.com/2022/08/litigation-hold-letter-additional-evidence.pdf

Motion contains 28 exhibits. New transcripts not previously made known to Court. Has complete evidence that Officer Robert Jones had an erroneous belief that my son was medically and psychologically cleared. That is not true, beliefs do not make it true. Robert Jones did not tell the truth but told his belief that my son was medically cleared. He was not proven medically cleared. The evidence proven he was not medically cleared. Government agency investigation is going on, evidence given to the investigator about the corrupt doctor who covered up evidence. You have no right to impede or interfere with or obstruct this investigation. Glen Andrew Hall knows the law, as corrupt as he is; getting away with breaking laws right and left. Such as destruction of body-camera footage and three times contempt of court. He knows the law.

Brian Hill will be asking for legal aid to file a lawsuit against Glen Andrew Hall, Esq. if he does not concede defeat. A civil rights lawsuit.

Litigation hold letter is regarding the culprit Jacody Cassell, The Chimney Sweep business entity in Rocky Mount, VA. They are responsible for poisoning my son Brian David Hill with carbon monoxide gas. They started the poisoning on October 5, 2017. Brian D. Hill filed a complaint with the Office of Attorney General of Virginia against The Chimney Sweep and Jacody Cassell responded through his lawyer Eric Ferguson of Rocky Mount. The dispute resolution unit was lied to by Mr. Cassell. They claimed they never gave an estimate and never conducted the service, have no records of the chimney work done. We received a signed $300 photocopy of the check from TRUIST bank cashed in by Cassell in his own handwriting. We have proven that he through his attorney Eric Ferguson lied to the dispute resolution unit, Attorney General Office. Jacody Cassell through his attorney lied to the Attorney General in response to my son claiming in complaint that The Chimney Sweep caused his indecent exposure by placing metal tin on top of the chimney flues causing carbon monoxide gas to flow into Brian's apartment from October 5, 2017, until he left home and was arrested on September 21, 2018. I was continually exposed to the gas until Pete Compton removed the metal tin on top of the chimney flue. Here is the culprit if it is a crime to almost kill somebody with carbon monoxide gas. The culprit is Jacody Cassell. He should be prosecuted, Glen Andrew Hall. Cassell is responsible for my son acting weird and getting naked on a walking trail after wandering away from home and was arrested on September 21, 2018. Cassell or his business employee caused long term carbon monoxide gas damage and exposure. He claimed he had no records of the chimney work done, and he owns a licensed business but kept no records, defrauded the dispute resolution unit of Attorney General. Jacody is the culprit for the carbon monoxide. I have phone records proving his business cell phone number was in contact with me, phone call logs can be authenticated by Attorney General and State Police if necessary. You have your culprit of what led up to the indecent exposure. Please charge Jacody Cassell. Thank You!

To Clerk: Please confirm by read receipt or response message confirming that you have received this. There is a lot of evidence that the Hon. Giles Carter Greer must review to understand that my son is legally innocent and is entitled to acquittal. Thank You!

4034

Note: If you see any criminal activity or corruption going on in the Legal System or in Government, please report these tips to Project Veritas at VeritasTips@protonmail.com, or go to Project Veritas website.

Roberta Hill (representative for electronic filing)
310 Forest Street, Apartment 1
Martinsville, Virginia 24112

Motion for Judgment of Acquittal, case no. CR19000009-00, Circuit Court for the City of Martinsville
Commonwealth of Virginia, City of Martinsville v. Brian David Hill

Defendant:
Brian David Hill
310 Forest Street, Apartment 2
Martinsville, Virginia 24112

Thanks,
Roberta

Received On 2/6/2023 By User: jnunn Circuit Court Clerk's Office Martinsville, VA Jean P. Nunn, Clerk

LETTER TO CLERK OF MARTINSVILLE CIRCUIT COURT
RE: CASE NO: CR19000009-00
CC: Court of Appeals of Virginia;
RE: Case nos. 1424-22 and 1425-22

Friday, February 3, 2023

ATTN: Hon. Jean P. Nunn Clerk of the Court Martinsville Circuit Court 55 W. Church Street Martinsville, VA 24114-1206	Phone: (276) 403-5106 Fax: (276) 403-5232

Hon. Jeanie P. Nunn,

I would like to request with you specifically that you transmit the entire record of the Trial Court to the Court of Appeals of Virginia for me to prosecute my two newer appeals (Case nos. 1424-22 and 1425-22).

The Court of Appeals of Virginia misinterpreted my motions for relief as motions for extension of time. **I am grateful they granted my motions** but the relief requested in them had not been obtained regarding the issue of the incomplete record in both appeal cases (Case nos. 1424-22 and 1425-22).

So it is my responsibility as Appellant to file this letter with you and file with the Court of Appeals of Virginia as well.

I had asked them originally in those motions for the CAV to have you transmit the entire record but instead they treated my requests as an extension of time. So you get why I am filing this letter with you.

I had demonstrated with evidence that the record transmitted on December 13, 2022 by your former boss, Hon. Ashby R. Pritchett was the incomplete record of the Trial Court. Past transmissions of the record in the CAV proven that the record transmitted on December 13, 2022 was not the

complete record, doesn't even include the very motions which were denied by Judge Greer. You see how important this is and how frustrated I have been for weeks over this.

It doesn't even include the motions which were denied, I don't know why Ashby Pritchett did that. The appeals cannot be prosecuted at this rate, and the Appeals Court will not be able to come to a good decision without those records. I am frustrated and don't know what to do. This is beyond me.

So please transmit to the Court of Appeals of Virginia all records including correspondences from September 21, 2018 (GD Paperwork) all of the way until now. Please just transmit the entire thing altogether, and if the file size is too big you can split the files into multiple pdf files. Please I beg of you to transmit the entire record to the Court of Appeals of Virginia as soon as possible. My extension of time is until March 6, 2023. I have until then to have the complete record and then have to file a Designation of the Record and appeal brief. I need the complete record transmitted to the Clerk's Office at the Court of Appeals as soon as possible. Thank You!

Thank you for your time and attention to this matter.

Where We Go One We Go All (WWG1WGA), Nothing Can Stop What Is Coming (NCSWIC).



Brian D. Hill

God bless you,
Brian D. Hill
Ally of Q, Former news reporter of U.S.W.G.O. Alternative News
310 Forest Street, Apartment 2
Martinsville, Virginia 24112
(276) 790-3505
JusticeForUSWGO.NL or JusticeForUSWGO.wordpress.com

Received On 2/6/2023 By User: jnunn Circuit Court Clerk's Office Martinsville, VA Jean P. Nunn, Clerk

In The
Court of Appeals
Of Virginia

Brian David Hill,

Appellant,

v.

Commonwealth of Virginia, City of Martinsville

Appellee.

ON APPEAL FROM THE CIRCUIT COURT FOR THE CITY OF MARTINSVILLE

MOTION FOR CIRCUIT COURT / TRIAL COURT TO TRANSMIT COMPLETE RECORD OF THE TRIAL COURT

Brian David Hill – Ally of Q and Lin Wood
Founder of USWGO Alternative News
310 Forest Street, Apt. 2
Martinsville, Virginia 24112
(276) 790-3505
c/o: Rbhill67@comcast.net; Roberta Hill

Pro Se Appellant **– JusticeForUSWGO.wordpress.com**

SUMMARY

Brian David Hill, ("Appellant") files this MOTION asking the Court of Appeals of Virginia in this case to compel transmission of the complete record of the Trial Court from the new Clerk Hon. Jeanie Nunn of the Circuit Court for the City of Martinsville.

Appellant has no need to provide repetitive evidence as evidence of the Trial Court record being incomplete in this case was already proven in the Appellant's filed "MOTION TO RESTART APPEAL PROCESS AND RETRANSMIT THE RECORD OF THE TRIAL COURT IN APPEAL" and "MOTION FOR INQUIRY AND SANCTIONS AGAINST HON. ASHBY R. PRITCHETT, OFFICER OF THE TRIAL COURT IN APPEAL". All of them were filed on January 17, 2023.

Appellant is grateful to this Court for an extension of time being granted, however this Court forgot to compel the Clerk of the Circuit Court to transmit the entire record of the Trial Court to this Court of Appeals. **Procedural due process requires complete record of the Trial Court if the record is available and had not been destroyed.**

Without the entire record of the Trial Court, it is impossible to file and comply with all Court rules concerning an Appellant's Designation of the record, and the appeal brief itself. It is impossible to comply with the rule requirements of citing the issues preserved for appeal upon any preliminary review without a complete record

of the Trial court.

Appellant had already proven in multiple motions filed on January 17, 2023 that the entire record of the Trial Court was not received in the Court of Appeals of Virginia on December 14, 2022, but was an incomplete record.

It is obvious and common sense to believe that the record of the Trial Court was incomplete in this case because the very MOTIONS which were denied are not in the transmitted record in this case (yes multiple motions for New Trial were denied and multiple motions were denied asking for the Commonwealth Attorney to respond according to former Clerk Ashby R. Pritchett in email correspondence with rbhill67@comcast.net since Judge Greer did not go into details in his order as to what motions he denied, proof correspondence attached to this motion as evidence). Because the very motions which were denied were not even in the transmitted record from Hon. Ashby R. Pritchett, there is no ability for me to demonstrate any merits in filing an appeal brief with no complete record of the Trial Court. The clerks expect me to comply with the rules including citation of the record and citation of the issues preserved for appeal. That is impossible and I cannot comply with those rules without the COMPLETE record of the Trial Court, this deprives me of due process of law. I do not have the complete record of the Trial Court. Appellant had proven this in four different appeals in this very Court (See CAV Cases no. 1424-22-3, 1425-22-3, 0289-22-3 and 0290-22-3). This Court does not have a complete record of the Trial Court, how many times does Appellant have to repeat this like a parrot

at a bird shop or pet store before anybody realizes this. The Clerks who work at the Court of Appeals of Virginia, this honorable Court, does not have the complete record of the Trial Court in this case.

The attached email record further proves that correspondences were not in the incomplete record of the Trial Court, correspondences which proves to this Court that multiple motions for new trial were denied, not one motion. The judicial officer Hon. Giles Carter Greer made it confusing by not ever clarifying which multiple motions were denied, made it appear that only one motion was denied but the Clerk of the Trial Court said multiple motions were denied. All I know was that Appellant had filed multiple motions for new trial, multiple motions asking for a response from the Commonwealth, and all four of them were denied by Hon. Giles Carter Greer.

For the sake of brevity, Appellant will not reiterate all of the text and evidence exhibits from the filed (1) "MOTION TO RESTART APPEAL PROCESS AND RETRANSMIT THE RECORD OF THE TRIAL COURT IN APPEAL" and (2) "MOTION FOR INQUIRY AND SANCTIONS AGAINST HON. ASHBY R. PRITCHETT, OFFICER OF THE TRIAL COURT IN APPEAL". Appellant hereby incorporates by reference, as if fully set forth herein, all of the (1) "MOTION TO RESTART APPEAL PROCESS AND RETRANSMIT THE RECORD OF THE TRIAL COURT IN APPEAL" and (2) "MOTION FOR INQUIRY AND SANCTIONS AGAINST HON. ASHBY R. PRITCHETT, OFFICER OF THE TRIAL COURT IN APPEAL" evidence exhibits, text, arguments, and citations.

Procedural due process of law requires in criminal cases (this direct appeal is of a criminal case) that this Court of Appeals of Virginia as well as the Trial Court submit the complete record of the Trial Court including all court records of the arrest, correspondences with court officials including clerks, motions, notices, prosecutorial filings with the Court, Defendant's filings, judgements and orders, decrees, evidence, and any transcripts if available.

See State v. Means, No. 09-489, 4 (La. Ct. App. Dec. 9, 2009) ("Both this court and the United States Supreme Court have made clear that a criminal defendant has a right to a complete transcript of the trial proceedings, particularly where appellate counsel was not counsel at trial. State v. Deruise, 98-0541, p. 11 (La. 4/3/01), 802 So.2d 1224, 1234, cert. denied, 534 U.S. 926, 122 S.Ct. 283, 151 L.Ed.2d 208 (2001), citing Hardy v. United States, 375 U.S. 277, 84 S.Ct. 424, 11 L.Ed.2d 331 (1964) and State v. Robinson, 387 So.2d 1143 (La. 1980). The Louisiana State Constitution guarantees that "[n]o person shall be subjected to imprisonment . . . without the right of judicial review based upon a complete record of all evidence upon which the judgment is based." LSA-La.Const. art. I § 19. Additionally, in all felony cases, the clerk or court stenographer shall record all of the proceedings, including the examination of prospective jurors, the testimony of witnesses, statements, rulings, orders, and charges by the court, and objections, questions, statements, and arguments of counsel. LSA-C.Cr.P. art. 843.").

See Hardy v. United States, 375 U.S. 277, 285 (1964) ("…Court of Appeals

must provide the would-be appellant with both the assistance of counsel and a record of sufficient completeness to enable him to attempt to make a showing . . ." that the case presents a nonfrivolous issue. Coppedge v. United States, 369 U.S. 438, 446."). Coppedge v. United States, 369 U.S. 438, 456 (1962) ("For this reason, we have held that in such cases a Court of Appeals must provide the applicant with the assistance of counsel and with a record of sufficient completeness to give him full opportunity to show that the appeal is in "good faith." Johnson v. United States, supra; Farley v. United States, 354 U.S. 521.").

Appellant cannot file a Designation of the Record in good faith without the complete record which would prove a good faith appeal and cannot file an appeal brief demonstrating good faith and assignments of error without a complete record of the Trial Court to demonstrate the good faith issues of preservation of the issues for this appeal. Failure of the Trial Court to provide a complete record is a deprivation of procedural due process of law and creates a major prejudice for the Appellant. Deprives Appellant of due process of law as required by both United States Constitution 14th Amendment, and the Virginia Constitution's requirement of procedural Due Process of Law.

See Virginia Constitution, Article I, Section 11. Due process of law; obligation of contracts; taking or damaging of private property; prohibited discrimination; jury trial in civil cases. (November 6, 2012) ("That no person shall be deprived of his life, liberty, or property without due process of law…").

If the Trial Court still refuses to transmit the complete record despite the fact they did not destroy any record per se but just simply refused to transmit all records they retain in their possession, then Appellant requests that he be permitted to supplement the record with an affidavit or Declaration under penalty of perjury as to the supplementation of the record necessary for this appeal to move forward. See State v. Tilton, 149 Wn. 2d 775, 783 (Wash. 2003) ("The usual remedy for a defective record is to supplement the record with appropriate affidavits and have discrepancies resolved by the judge who heard the case.").

Other case law suggests the same thing, that incomplete records of the case to be reviewed by a supervisory Court or higher Court is deprivation of procedural due process of law or violates due process of law or both. See Higgins v. Kelley, 574 F.2d 789, 793 (3d Cir. 1978) ("Therefore, the record was incomplete when it came up for review in the district court. In view of our holding in Twiggs v. United States Small Business Administration, supra, that district court review of an incomplete record does not satisfy the procedural requirements of the Administrative Procedure Act, 5 U.S.C. § 706(2)(D), the agency's refusal to honor Higgins' request for production of documents erroneously denied him his procedural rights.")

This Court would be depriving Appellant of due process of law if Appellant is required to prosecute his appeal with less than a complete record. See State v. Dupris, 373 N.W.2d 446, 449 (S.D. 1985) ("On remand of the new trial motion, the trial court decided, inter alia, that Dupris would be denied due process if she was

required to prosecute her appeal with less than a complete record. Based on the facts of this particular case, we agree. The trial court's adjudication for a new trial was not an abuse of discretion."). See Winston v. Kelly, 592 F.3d 535, 555-56 (4th Cir. 2010) ("If the record ultimately proves to be incomplete, deference to the state court's judgment would be inappropriate because judgment on a materially incomplete record is not an adjudication on the merits for purposes of § 2254(d). Wilson, 577 F.3d at 1292; Drake, 321 F.3d at 345. New, material evidence, introduced for the first time during federal habeas proceedings, may therefore require a de novo review of petitioner's claim.").

Appellant had been prejudiced by the incomplete record of the Trial Court.

The prejudices Appellant had suffered are as follows:

1. Appellant's entire evidence exhibits and proof, as well as legal arguments and all preserved issues for appeal as to the motions for new trial which Appellant filed with the Clerk of the Court prior to the Hon. Giles Carter Greer the judicial officer denying those motions. The prejudice is that there is no evidence or proof for this Court to review because of the incomplete record of the Trial Court. This Court would not know of what was denied, what was offered as evidence or proof, what is admissible and what was inadmissible, this Court would know nothing except only the Orders and what was filed after those Orders.

2. The very motions filed by Appellant and was denied by Judge Greer

would not be known to this Court. The evidence would not be known to this appellate Court. The only records this Court will be able to review are the orders, and the notices of appeal and a letter. The only records this Court will be aware of is severely limited records such as:

CITATION from record transmitted in case no. 1424-22-3, for example:

Manuscripts:

FINAL ORDER - DENY MOTION LACK JURISDICT 09/07/2022 1 - 1

ORDER - DEN MOT COMM RESPOND M/J 09/13/2022 2 - 3

AFFIDAVIT - INDIGENCE 09/19/2022 4 - 5

NOTICE - APPEAL (1) 09/19/2022 6 - 26

AFFIDAVIT - INDIGENCE 09/19/2022 27 - 28

NOTICE - APPEAL (2) 09/19/2022 29 - 53

LETTER - COURT OF APPEALS-TRANS REC 11/30/2022 54 - 54

The only records this Court will be able to review are the order and nothing prior to that Court Order. This is definitely an incomplete record. Common sense says such, the orders denying motions not in the incomplete record demonstrates that due process of law rights guaranteed by the two Constitutions (of the United States and of Virginia) had been violated and deprived for Appellant.

3. The prejudice Appellant will suffer is that assignments of error, statement of the facts, and the merits cannot even be adjudicated and

reviewed with the severity of the incomplete record. This Court knows that it is incomplete due to pending appeals under cases no. 0289-22-3 and 0290-22-3. See the records of the appeal for those cases. That itself demonstrates an incomplete record in this case, in both cases no. 1424-22-3, and 1425-22-3. The Clerks normally require by the rules of proper citation to the areas of the record for showing the preservation of the issues and areas of the record containing evidence or other proper citations for prosecution of the appeal. Absent a complete record, this Court has nothing to review other than an order de novo without any prior record or documentation for this Court to make any proper determination on the matters of law, the matters of evidence and facts, and the matters of merit. Appellant has been prejudiced to such a severe extent that merits cannot be shown or proven on the record, prosecution of the appeal is impossible. The prejudice is that Appellant lost all of his constitutional rights to due process of law by the incomplete record. Appellant could file an appeal brief on the basis of matters not in the record and then this Court would have to guess what was in the record. The record hasn't been destroyed, the case files are still in the Trial Court, this Court can clearly ask for all records to resolve this issue. Would this Court want to guess what is true and what is not true based on an incomplete record when the original court has destroyed no

records and past records submitted by the Trial Court already demonstrates incompleteness in this appeal case?

It is impossible for this Court of Appeals of Virginia (CAV) to review over the case and make a correct decision for this appeal without the complete record of the Trial Court. The duty and responsibility of those records lies with the Clerk of the Circuit Court for the City of Martinsville. The former Clerk who serially filed four false certifications of transmitting the complete record of the Trial Court was none other than Hon. Ashby R. Pritchett, and the new Clerk Hon. Jeanie Nunn has the opportunity to correct the mistakes of Ashby R. Pritchett, and transmit the complete record. It is impossible to prosecute this appeal without the complete record, and it would be impossible for this Court to review over any assignments of error without a complete record of the Trial Court. See Com. v. Williams, 552 Pa. 451, 459 (Pa. 1998) ("The Superior Court affirmed the judgment of sentence and held that the appellant's failure to supply the Court with a complete record made it impossible to review of the first issue…")

The records clearly are not destroyed, they are not lost, but simply they were not all transmitted in their entirety. In criminal cases, an Appellant has an even greater constitutional rights and protections under both procedural due process of law and substantive due process of law. That includes procedurally the right to a complete record of the Trial Court. Appellant has a due process right to the complete

record of the Trial Court. The records of the Trial Court have not reportedly been destroyed, they are in the Trial Court itself, but simply Ashby Pritchett filed four false certifications. They are electronic records and/or physical records. The Trial Court does store electronic court filings, and so the Trial Court has the complete records, but they were not transmitted to the Court of Appeals of Virginia in this case, in both cases no. 1424-22-3 and 1425-22-3.

Appellant asks this Court again for the complete record of the Trial Court, as Appellant has the evidence as to the incompleteness of the record, and this Court has the evidence in pending appeal cases no. 0289-22-3 and 0290-22-3. Evidence had been submitted in good faith as to motions filed by Appellant on January 17, 2023, evidence beyond a reasonable doubt, evidence of an incomplete record, false certifications from the Hon. Ashby R. Pritchett before he left office in 2023, and Hon. Jeanie Nunn was interim Clerk of the Trial Court. Appellant had proven the record was incomplete in four different appeal cases, if the proof is not sufficient then this Court can order the Appellant to file more evidence/proof, otherwise Appellant has provided more than enough evidence to warrant that the Trial Court Clerk be compelled to transmit the entire record of the Trial Court.

CONCLUSION

Appellant asks for the following relief in the foregoing case in the CAV:

1. That the former Clerk, Honorable Ashby R. Pritchett be inquired and investigated over four incomplete transmitted records and submitting

false statements in four certifications that the record transmitted was a complete record, when in fact it wasn't which is a fraud on this Court four different times;

2. That the CAV file an order to conduct an inquiry into and possibly order any sanctions into the four false certifications to the Digital Appellate Record (DAR) filed and submitted by the former Clerk Ashby R. Pritchett of the Circuit Court;
3. **The new Clerk Hon. Jeanie Nunn be asked to transmit to this Court of Appeals of Virginia a complete record of the Trial Court and file the entire case records and all records within the control and possession of the Trial Court**;
4. And Appellant asks for any other relief or remedy that the Court of Appeals of Virginia may deem proper and just to resolve the issues laid before this Court to protect the due process of law and of any integrity of the judicial machinery in the Trial Court. Thank you. I appreciate your time and effort to fix this.

Appellant requests relief accordingly and asks for any other relief which the Court of Appeals of Virginia may deem proper and just for the issues raised.

Respectfully Filed/Submitted on February 3, 2023,

BRIAN DAVID HILL
Pro Se

Brian D. Hill
Signed
Brian D. Hill

Brian David Hill – Ally of Qanon
Founder of USWGO Alternative News
310 Forest Street, Apt. 2
Martinsville, Virginia 24112
(276) 790-3505
Pro Se Appellant
https://JusticeForUSWGO.wordpress.com
https://JusticeForUSWGO.nl

CERTIFICATE OF COMPLIANCE

1. This motion complies with type-volume limits:

[X] this motion contains [*3,035*] words.

[ ] this motion used 50 pages or less.

2. This motion complies with the typeface and type style requirements because:

[X] this motion has been prepared in a proportionally spaced typeface using [*Microsoft Word 2013*] in [*14pt Times New Roman*]; *or*

[ ] this motion has been prepared in a monospaced typeface using [*state name and version of word processing program*] with [*state number of characters per inch and name of type style*].

Brian D. Hill
Signed

Brian D. Hill

Dated: February 3, 2023

Brian David Hill – Ally of Qanon
Founder of USWGO Alternative News
310 Forest Street, Apt. 2 Martinsville,
Virginia 24112
(276) 790-3505
JusticeForUSWGO.wordpress.com
Pro Se Appellant

CERTIFICATE OF FILING AND SERVICE

I hereby certify that on this 3rd day of February, 2023, I caused this "MOTION FOR CIRCUIT COURT / TRIAL COURT TO TRANSMIT COMPLETE RECORD OF THE TRIAL COURT" and attached evidence to be delivered by email service by Assistant/Filing-Representative Roberta Hill using rbhill67@comcast.net or rbhill67@justiceforuswgo.nl to the Commonwealth of Virginia and City of Martinsville through the Commonwealth Attorney's Office of Martinsville City; as well as to the named counsel for the Office of the Attorney General; and the original was filed with the Clerk of the Supreme Court of Virginia by Virginia Court eFiling System (VACES) through Assistant/Filing-Representative Roberta Hill which shall satisfy proof of service as required by Rule 5:1B(c) stating that "*Service on Other Parties by Email. – An electronic version of any document filed in this Court pursuant to Rule 5:1B(b) must be served via email on all other parties on the date the document is filed with the Court or immediately thereafter, unless excused by this Court for good cause shown. An e-filed document must contain a certificate stating the date(s) of filing and of email service of the document.*" And the proof that such pleading was delivered will be filed together with this MOTION shall satisfy the proof of service was required by Rule 5A:2(a)(1) and Rule 5A:1(c)(4):

1. Glen Andrew Hall, Esq.
55 West Church Street, P.O. Box 1311
Martinsville, Virginia 24112 or 24114 (for P.O. Box)
Telephone: 276-403-5470

Fax: 276-403-5478
Email: ahall@ci.martinsville.va.us

Counsel for Appellees'

2. Justin B. Hill, Esq.
202 North 9th Street
Richmond, VA 23219
Telephone: (804) 786-2071
Fax: (804) 786-1991
Email: jhill@oag.state.va.us

Counsel for Appellees'

The reason why Brian David Hill must use such a representative/Assistant to serve such pleading with the Clerk on his behalf is because Brian is currently still under the conditions of Supervised Release for the U.S. District Court barring internet usage without permission. Brian's Probation Officer is aware of Roberta Hill using her email for conducting court business concerning Brian Hill or court business with the Probation Office in regards to Brian David Hill. Therefore, Roberta Hill is filing the pleading on Brian's behalf for official court business. Brian has authorized Roberta Hill to file the pleading.

If the Court wishes to contact the filer over any issues or concerns, please feel free to contact the filer Brian David Hill directly by telephone or by mailing. They can also contact Roberta Hill at rbhill67@comcast.net and request that she forward the message and any documents or attachments to Brian David Hill to view offline for his review.

Brian D. Hill
Signed
Brian D. Hill

Brian David Hill – Ally of Qanon
Founder of USWGO Alternative News

310 Forest Street, Apt. 2 Martinsville, Virginia 24112
(276) 790-3505
JusticeForUSWGO.wordpress.com
Pro Se Appellant



Subject: RE: Judge Greer's order
From: Ashby Pritchett <apritchett@vacourts.gov>
Date: 9/13/2022, 10:47 AM
To: Roberta Hill <rbhill67@justiceforuswgo.nl>

Mrs. Hill,

Terry from my Office will be sending you a copy of Judge Greer's order, and copies of the amended Table of contents of the Motions filed by Brian with the Court of Appeals.

Judge Greer's Order denying Brian's motions doesn't end Brian's case with the Court of Appeals. Judge Greer's Order only declares that the Martinsville Circuit Court doesn't have jurisdiction (power to act) on Brian's motions. Everything Brian has filed has been sent to the Virginia Court of Appeals, who will make the judicial decision on his motions.

Ashby Pritchett, Clerk
Martinsville Circuit Court

Judge

From: Roberta Hill <rbhill67@justiceforuswgo.nl>
Sent: Monday, September 12, 2022 3:57 PM
To: Ashby Pritchett <apritchett@vacourts.gov>; Hon. Ashby R. Pritchett, Clerk of the Court <APritchett@courts.state.va.us>
Subject: Judge Greer's order
Importance: High

EXTERNAL EMAIL

THIS MESSAGE ORIGINATED FROM AN EXTERNAL ADDRESS. USE CAUTION CLICKING ON ANY LINKS OR DOWNLOADING ANY ATTACHMENTS

Martinsville Circuit Court ***(details)*** Subscribe

Case #: **CR19000009-00** Defendant: **HILL, BRIAN DAVID**

Pleadings/Orders

Seq. #	Date	Type	Party	Judge	Book & Page	Instrument	Remarks
158	09/08/2022	OTHER	TTM				TABLE OF CONTENTS-APPEALED
157	09/08/2022	OTHER	TTM				DIGITAL APPELATE REC SUBMT
156	09/07/2022	FINAL ORDER	ARP				DENY MOTION LACK JURISDICT
155	09/06/2022	MOTION	ARP				MJ NEW EVID J CASSELL
154	09/06/2022	MOTION	ARP				REQUEST CA RESPOND TO MJ
153	08/31/2022	OTHER	ARP				LITIGATION HOLD LETTER
152	08/31/2022	MOTION	ARP				JUDGMT OR ACQUITTAL OR TRL

Hon. Ashby Pritchett,

It said on Virginia's OCIS system that my son Brian David Hill's motion or last two motions for judgment of acquittal and possibly the motions asking for the Commonwealth's response were denied on September 7, 2022. Assuming that is what the order was about. The OCIS system said that order was dated as to being Wednesday of last week, but my son checked the mail today and still has not received Judge Greer's order. He received your transmittal document paper mailed on the 9th of September but

has not received a copy of Judge Greer's order.

He needs the order to understand what he should put in his notice of appeal he plans on filing.

I tried to send this message through xFinity but it is not working at the moment, so I am sending this message through my alternate email.

Please send a copy of the order for my son to review or he can call your office to arrange faxing it to him.

Thanks,
Roberta Hill

Subject: RE: Martinsville Circuit Court, Motion for Judgment of Acquittal or New Trial, Litigation hold letter, Motion requesting response, no. CR19000009-00, Commonwealth of Virginia et al v. Brian David Hill
From: Ashby Pritchett <apritchett@vacourts.gov>
Date: 8/31/2022, 11:57 AM
To: ROBERTA HILL <rbhill67@comcast.net>

Hello Mrs. Hill.

The PDF document attached to your earlier titled “MOTION REQUESTING COMMONWEALTH ATTORNEY RESPOND TO MOTION FOR JUDGMENT OF ACQUITTAL OR NEW TRIAL” was migrated to the case indexing and imaging system.
A copy of your e-mail, containing the hyperlinks to PDF documents titled “motion-new-trial-acquittal” and “Litigation-hold-letter-additional-evidence” was also recorded and scanned into the court file for Mr. Hill, file number CR19000009-00.
These records were submitted to the Court of Appeals yesterday. Because Mr. Hill’s case remains before the Virginia Court of Appeals, everything you submit is scanned and sent to that court for review, adding it to the appellate record.

Ashby Pritchett, Clerk

From: ROBERTA HILL <rbhill67@comcast.net>
Sent: Wednesday, August 31, 2022 10:44 AM
To: Hon. Ashby R. Pritchett, Clerk of the Court <APritchett@courts.state.va.us>; Ashby Pritchett <apritchett@vacourts.gov>; Martinsville City Commonwealth's Attorney <ahall@ci.martinsville.va.us>; Coen, Chris <ccoen@oag.state.va.us>
Subject: Re: Martinsville Circuit Court, Motion for Judgment of Acquittal or New Trial, Litigation hold letter, Motion requesting response, no. CR19000009-00, Commonwealth of Virginia et al v. Brian David Hill
Importance: High

EXTERNAL EMAIL

THIS MESSAGE ORIGINATED FROM AN EXTERNAL ADDRESS. USE CAUTION CLICKING ON ANY LINKS OR DOWNLOADING ANY ATTACHMENTS

I need clarification on what was filed.

Was the two motions filed and the litigation hold letter filed? or was it just the one motion asking for the Commonwealth to respond to the other motion?

There are two motions. One asking for new trial in disproving the elements of the charge. The other one asking for the Commonwealth to respond. The litigation hold letter as evidence is surfacing on a suspect or culprit in who him or his company employee(s) directly caused the poisoning of my son with carbon monoxide gas, long term exposure since October 5, 2017 until he left the home and was arrested for indecent exposure for having a medical emergency. The suspect (because we all know who did the chimney work at my Triplex, it was that chimney company, but proving that is quite a challenge) is JaCody Cassell because he has not admitted to causing the poisoning of my son but he lied to the Office of Attorney General in the Dispute Resolution Unit. He is trying to get away with causing the carbon monoxide which caused his indecent exposure. There should be an investigation

into him. That is why my son wants the litigation hold letter filed. My son wants this suspect criminally investigated for causing the metal tin to be placed on the chimney. That caused the long term exposure which eventually led to my son being charged and arrested with indecent exposure. My son will eventually file a motion based on this suspect and ask the State Police to intervene and arrest JaCody Cassell for being the cause of my son's indecent exposure due to his intoxication. Cassell didn't make Brian get naked, but he caused the intoxication of my son by not doing his job correctly and cutting corners in his business. The hospital failed to conduct the laboratory tests at Sovah Healh Martinsville and those tests would have proven involuntary intoxication which I believe may be a criminal defense in Virginia to a charge of indecent exposure.

motion-new-trial-acquittal-August-28-2022.pdf - https://justiceforuswgo.files.wordpress.com/2022/08/motion-new-trial-acquittal-august-28-2022.pdf
Litigation-hold-letter-additional-evidence.pdf - https://justiceforuswgo.files.wordpress.com/2022/08/litigation-hold-letter-additional-evidence.pdf - Has the signed check by suspect JaCody Cassell who his business The Chimney Sweep did chimney work on my Triplex on October 5, 2017

Please clarify whether the two motions and litigation hold letter was filed? Thanks

Thanks,
Roberta Hill

On 8/30/2022 7:12 AM, ROBERTA HILL wrote:

> Clerk of Circuit Court for the City of Martinsville,
> CC: Glen Andrew Hall, Esquire.
>
> I am Roberta Hill, Brian's mother. I am filing this Motion for Judgment of Acquittal or New Trial based upon new evidence, Motion requesting response from Commonwealth Attorney, and litigation hold letter regarding culprit Jacody Cassell of The Chimney Sweep who poisoned my son with carbon monoxide gas poisoning from October 5, 2017 until he left the home and was arrested. It is all being filed through email to you on Brian's behalf due to his federal probation conditions where he is not allowed to use the internet. He is having me file this pleading on his behalf. My son is having me to serve the respondents through email as well and the certificate of service is in the last page of the PDF file. This email is also being sent to the Respondents to serve them a copy of this pleading, and may also be faxed as well by Brian D. Hill in the event that email may fail.
>
> The new evidence of billing record, other records not previously been filed, it is too big for email and so links are provided to pleadings for the Clerk and Respondents to download.
>
> **Please Clerk download the linked pdf document filings and the Court will have the evidence that my son is not guilty of indecent exposure and cannot be convicted anymore.**
>
> motion-requesting-response-new-trial-acquittal-August-28-2022.pdf is attached in email
> motion-new-trial-acquittal-August-28-2022.pdf - https://justiceforuswgo.files.wordpress.com/2022/08/motion-new-trial-acquittal-august-28-2022.pdf
> Litigation-hold-letter-additional-evidence.pdf -

https://justiceforuswgo.files.wordpress.com/2022/08/litigation-hold-letter-additional-evidence.pdf

Motion contains 28 exhibits. New transcripts not previously made known to Court. Has complete evidence that Officer Robert Jones had an erroneous belief that my son was medically and psychologically cleared. That is not true, beliefs do not make it true. Robert Jones did not tell the truth but told his belief that my son was medically cleared. He was not proven medically cleared. The evidence proven he was not medically cleared. Government agency investigation is going on, evidence given to the investigator about the corrupt doctor who covered up evidence. You have no right to impede or interfere with or obstruct this investigation. Glen Andrew Hall knows the law, as corrupt as he is; getting away with breaking laws right and left. Such as destruction of body-camera footage and three times contempt of court. He knows the law.

Brian Hill will be asking for legal aid to file a lawsuit against Glen Andrew Hall, Esq. if he does not concede defeat. A civil rights lawsuit.

Litigation hold letter is regarding the culprit Jacody Cassell, The Chimney Sweep business entity in Rocky Mount, VA. They are responsible for poisoning my son Brian David Hill with carbon monoxide gas. They started the poisoning on October 5, 2017. Brian D. Hill filed a complaint with the Office of Attorney General of Virginia against The Chimney Sweep and Jacody Cassell responded through his lawyer Eric Ferguson of Rocky Mount. The dispute resolution unit was lied to by Mr. Cassell. They claimed they never gave an estimate and never conducted the service, have no records of the chimney work done. We received a signed $300 photocopy of the check from TRUIST bank cashed in by Cassell in his own handwriting. We have proven that he through his attorney Eric Ferguson lied to the dispute resolution unit, Attorney General Office. Jacody Cassell through his attorney lied to the Attorney General in response to my son claiming in complaint that The Chimney Sweep caused his indecent exposure by placing metal tin on top of the chimney flues causing carbon monoxide gas to flow into Brian's apartment from October 5, 2017, until he left home and was arrested on September 21, 2018. I was continually exposed to the gas until Pete Compton removed the metal tin on top of the chimney flue. Here is the culprit if it is a crime to almost kill somebody with carbon monoxide gas. The culprit is Jacody Cassell. He should be prosecuted, Glen Andrew Hall. Cassell is responsible for my son acting weird and getting naked on a walking trail after wandering away from home and was arrested on September 21, 2018. Cassell or his business employee caused long term carbon monoxide gas damage and exposure. He claimed he had no records of the chimney work done, and he owns a licensed business but kept no records, defrauded the dispute resolution unit of Attorney General. Jacody is the culprit for the carbon monoxide. I have phone records proving his business cell phone number was in contact with me, phone call logs can be authenticated by Attorney General and State Police if necessary. You have your culprit of what led up to the indecent exposure. Please charge Jacody Cassell. Thank You!

To Clerk: Please confirm by read receipt or response message confirming that you have received this. There is a lot of evidence that the Hon. Giles Carter Greer must review to understand that my son is legally innocent and is entitled to acquittal. Thank You!

4060

Note: If you see any criminal activity or corruption going on in the Legal System or in Government, please report these tips to Project Veritas at VeritasTips@protonmail.com, or go to Project Veritas website.

Roberta Hill (representative for electronic filing)
310 Forest Street, Apartment 1
Martinsville, Virginia 24112

Motion for Judgment of Acquittal, case no. CR19000009-00, Circuit Court for the City of Martinsville
Commonwealth of Virginia, City of Martinsville v. Brian David Hill

Defendant:
Brian David Hill
310 Forest Street, Apartment 2
Martinsville, Virginia 24112

Thanks,
Roberta

Received On 2/6/2023 By User: jnunn Circuit Court Clerk's Office Martinsville, VA Jean P. Nunn, Clerk

LETTER TO CLERK OF MARTINSVILLE CIRCUIT COURT
RE: CASE NO: CR19000009-00
CC: Court of Appeals of Virginia;
RE: Case nos. 1424-22 and 1425-22

Friday, February 3, 2023

ATTN: Hon. Jean P. Nunn Clerk of the Court Martinsville Circuit Court 55 W. Church Street Martinsville, VA 24114-1206	Phone: (276) 403-5106 Fax: (276) 403-5232

Hon. Jeanie P. Nunn,

I would like to request with you specifically that you transmit the entire record of the Trial Court to the Court of Appeals of Virginia for me to prosecute my two newer appeals (Case nos. 1424-22 and 1425-22).

The Court of Appeals of Virginia misinterpreted my motions for relief as motions for extension of time. **I am grateful they granted my motions** but the relief requested in them had not been obtained regarding the issue of the incomplete record in both appeal cases (Case nos. 1424-22 and 1425-22).

So it is my responsibility as Appellant to file this letter with you and file with the Court of Appeals of Virginia as well.

I had asked them originally in those motions for the CAV to have you transmit the entire record but instead they treated my requests as an extension of time. So you get why I am filing this letter with you.

I had demonstrated with evidence that the record transmitted on December 13, 2022 by your former boss, Hon. Ashby R. Pritchett was the incomplete record of the Trial Court. Past transmissions of the record in the CAV proven that the record transmitted on December 13, 2022 was not the

complete record, doesn't even include the very motions which were denied by Judge Greer. You see how important this is and how frustrated I have been for weeks over this.

It doesn't even include the motions which were denied, I don't know why Ashby Pritchett did that. The appeals cannot be prosecuted at this rate, and the Appeals Court will not be able to come to a good decision without those records. I am frustrated and don't know what to do. This is beyond me.

So please transmit to the Court of Appeals of Virginia all records including correspondences from September 21, 2018 (GD Paperwork) all of the way until now. Please just transmit the entire thing altogether, and if the file size is too big you can split the files into multiple pdf files. Please I beg of you to transmit the entire record to the Court of Appeals of Virginia as soon as possible. My extension of time is until March 6, 2023. I have until then to have the complete record and then have to file a Designation of the Record and appeal brief. I need the complete record transmitted to the Clerk's Office at the Court of Appeals as soon as possible. Thank You!

Thank you for your time and attention to this matter.

Where We Go One We Go All (WWG1WGA), Nothing Can Stop What Is Coming (NCSWIC).



Brian D. Hill

God bless you,
Brian D. Hill
Ally of Q, Former news reporter of U.S.W.G.O. Alternative News
310 Forest Street, Apartment 2
Martinsville, Virginia 24112
(276) 790-3505
JusticeForUSWGO.NL or JusticeForUSWGO.wordpress.com

Received On 2/13/2023 By User: jnunn Circuit Court Clerk's Office Martinsville, VA Jean P. Nunn, Clerk

ADDENDUM TO FOIA REQUEST TO MARTINSVILLE POLICE DEPARTMENT AND CITY OF MARTINSVILLE – FOIA REQUEST (ORIGINALLY JANUARY 20, 2023)

SUNDAY, FEBRUARY 12, 2023

City of Martinsville **ATTN: FOIA Officer or FOIA Authorized official; Kendall Davis** **Public Information Officer** Email: kdavis@ci.martinsville.va.us P.O. Box 1112 55 West Church St. Martinsville, VA 24112 Phone: 276-403-5000 Fax: 276-403-5280	Martinsville Police Department **ATTN: FOIA Officer or FOIA Authorized official** Email: police@martinsvillepolice.org P.O. Box 1112 55 West Church St. Martinsville, VA 24112 Phone: 276-403-5300 Fax: 276-403-5306
CC: Clerk, Hon. Jean P. Nunn **RE: CASE NO: CR19000009-00** Email: jnunn@ci.martinsville.va.us 55 West Church St. Martinsville, VA 24112 **CC: Glen Andrew Hall, Esquire** Email: ahall@ci.martinsville.va.us Commonwealth Attorney for City of Martinsville and Commonwealth of Virginia 55 West Church St. Martinsville, VA 24112	**CC: Judge, Hon. Giles Carter Greer** **RE: CASE NO: CR19000009-00** Email: cgreer@ci.martinsville.va.us 55 West Church St. Martinsville, VA 24112

To Whom it may concern,

Kendall Davis, I am aware of your invalid response, and does not conform to the Virginia Freedom of Information Act. I will explain why. I am also amending my FOIA Request to the extent of which I am asserting my legal right to the records requested in my original FOIA Request letter and the circumstances under the law which grant me a right to my FOIA Request and my request for specific records under the Virginia FOIA law. My FOIA Request cannot legally be foreclosed on, and I will explain in this letter why under the law. I have a right to those records.

First of all, you sent an email around Friday, February 10, 2023 1:19 PM: saying "*I was able to get a response to his request this afternoon. Here is a digital response, I'll send one via mail on Monday morning.*" I have read the PDF file of this digital response and it was not a response dated in the year of 2023. That was not a response to my FOIA Request filed by fax on January 20, 2023, and also emailed by Roberta Hill at rbhill67@comcast.net to kdavis@ci.martinsville.va.us and mstrait@ci.martinsville.va.us. The attachment of that email, as well as a PDF printout of the email printed and downloaded by Roberta Hill, placed on a USB Flash drive to give to me for my review.

I reviewed over the documents of the pdf printout of email and the pdf file of the "digital response" and have determined you had made a material false statement when you said: "*I was able to get a response to his request this afternoon.*" There was no recent response "this afternoon" because the response was dated: September 19, 2019. My FOIA Request was dated January 20, 2023, when my FOIA Request was filed. So technically this was not a response to my FOIA Request dated January 20, 2023. This was either not a current response to a current FOIA Request which was required by Virginia FOIA law or was an invalid response requiring a current response to my current FOIA Request. You did not comply with the requirements under the law.

Second of all, I would like to amend to my original FOIA Request, the proof/facts that I am entitled to access to the records requested under the Virginia's Freedom of Information Act (FOIA) as a matter of law. That is why I am filing this letter with the Circuit Court as well as with you, Kendall Davis. My amendment to my FOIA Request is citing Virginia Code § 2.2-3706.1(E). The areas of the law which applies to the scope of my FOIA Request will be highlighted and also underlined in case this letter is printed in black and white without colors.

See: Virginia Code **§ 2.2-3706.1. Disclosure of law-enforcement records; criminal incident information and certain criminal investigative files; limitations.**

D. Criminal investigative files relating to a criminal investigation or proceeding

that is not ongoing are excluded from the mandatory disclosure provisions of this chapter, but may be disclosed by the custodian, in his discretion, except as provided in subsection E; however, such records shall be disclosed, by request, to (i) the victim; (ii) the victim's immediate family members, if the victim is deceased and the immediate family member to which the records are to be disclosed is not a person of interest or a suspect in the criminal investigation or proceeding; (iii) the parent or guardian of the victim, if the victim is a minor and the parent or guardian is not a person of interest or a suspect in the criminal investigation or proceeding; (iv) an attorney representing a petitioner in a petition for a writ of habeas corpus or writ of actual innocence pursuant to Chapter 19.2 (§ 19.2-327.2 et seq.) of Title 19.2 or any other federal or state post-conviction proceeding or pardon; and (v) for the sole purpose of inspection at the location where such records are maintained by the public body that is the custodian of the records, (a) an attorney or his agent when such attorney is considering representing a petitioner in a post-conviction proceeding or pardon, (b) an attorney who provides a sworn declaration that the attorney has been retained by an individual for purposes of pursuing a civil or criminal action and has a good faith basis to believe that the records being requested are material to such action, or (c) a person who is proceeding pro se in a petition for a writ of habeas corpus or writ of actual innocence pursuant to Chapter 19.2 (§ 19.2-327.2 et seq.) of Title 19.2 or any other federal or state post-conviction proceeding or pardon, who provides a sworn affidavit that the records being requested are material to such action. An attorney or his agent who is in receipt of criminal investigative files or has inspected criminal investigative files pursuant to clause (iv) or (v) shall not release such criminal investigative files or any information contained therein except as necessary to provide adequate legal advice or representation to a person whom the attorney either represents or is considering representing in a post-conviction proceeding or pardon or represents in a civil or criminal action.

I am filing an unsworn Declaration which is being filed in the Circuit Court which is an unsworn affidavit in support of my FOIA Request dated January 20, 2023, and in support of this "ADDENDUM TO FOIA REQUEST TO MARTINSVILLE POLICE DEPARTMENT AND CITY OF MARTINSVILLE – FOIA REQUEST".

Since Virginia Code § 2.2-3706.1(E) requires that I submit an affidavit in legal support of my FOIA Request on January 20, 2023 to prove that I can legally assert an exception to the exemptions under FOIA, I have done so but unsworn declarations are the same as affidavits with the exception that it is not notarized by a notary public which can be annoying and costly for somebody who is proceeding In Forma Pauperis. In Forma Pauperis meaning I am a poor person and cannot afford to pay the high costs of

litigation. So hopefully you consider this attached unsworn Declaration as the same as an affidavit under a notary public. My attached Declaration is being filed with the Circuit Court so it is under penalty of perjury as to why I am asking for specific records in my FOIA Request letter. It does support pro se FOIA Requests since poor people cannot afford a lawyer to ask for records under the Virginia's Freedom of Information Act.

See my attached: “DECLARATION OF BRIAN DAVID HILL IN SUPPORT OF FOIA REQUEST FILED ON JANUARY 20, 2023, AND IN SUPPORT OF “ADDENDUM TO FOIA REQUEST TO MARTINSVILLE POLICE DEPARTMENT AND CITY OF MARTINSVILLE – FOIA REQUEST””.

Now that I have submitted my state affidavit to the Public Information Officer of the City of Martinsville and FOIA Officer of Martinsville Police Department under Virginia Code § 8.01-4.3, you now have the justification to continue my FOIA Request and not deny my request, not refuse it outright.

I have a constitutional right under Due Process of Law under the Fourteenth Amendment of the United States Constitution, to the records requested under Virginia's Freedom of Information Act.

I ask that the Clerk of the Circuit Court file this FOIA Addendum letter as part of the record, and that this letter be reviewed by Judge Greer along with the affidavit as proof that my FOIA Request filed on January 20, 2023, is in good faith, and was requesting records which I am entitled to when I file a post-conviction motion asking for relief on the basis of fraud on the court. My FOIA Request should be well within the merits of the law.

I believe my FOIA Request falls within the limited exception under Virginia Code § 2.2-3706.1(E), an exception to the exemption of where a FOIA officer can refuse a FOIA request for exempted law enforcement records. My affidavit should also prove that my FOIA Request falls within the limited exception under Virginia Code § 2.2-3706.1(E). There is an exception to a FOIA officer of Public Information Officer being legally

permitted to block my request for records when it is a law enforcement record, unless that record was something already subject to litigation or a post-conviction proceeding.

I swear that my FOIA Request is in good faith, to both Judge Greer and to the Public Information Officer of the City of Martinsville and Martinsville Police Department.

I request that my FOIA Request proceed and that the records be obtained. Since this is involving a post-conviction proceeding, I request that the FOIA Requested records, if found, be turned over to the Honorable Giles Carter Greer the judge, the Clerk, and to both the prosecution and myself.

Also I am aware that the City Attorney Eric Monday is no longer the attorney for the City of Martinsville at the time of my filed FOIA Request dated January 20, 2023. I am aware that his contract was terminated effective January 2, 2023. His legal opinion on "September 19, 2019" regarding my FOIA Request for the search warrant in 2019 does not apply to my FOIA Request on January 20, 2023, it does not legally apply since I am providing an affidavit and good faith basis for requesting the records.

I need those records and the Judge needs those records for me to prove fraud on the court by unlawful destruction of material evidence in non-compliance with three court orders, the Clerk needs the records, the records are needed to prove to the Honorable Giles Carter Greer that the body-camera footage was unlawfully destroyed in August 2019 or September 2019, during a pending criminal case, after three court orders asking for it.

I also will attach to this letter not just my affidavit but also three court orders, one from the General District Court dated November 28, 2018, and Circuit Court orders dated: February 6, 2019, and July 15, 2019. All three court orders are good cause for my FOIA Request, as three court orders were not complied with by Commonwealth Attorney Glen Andrew Hall, and those orders were not complied with by Martinsville Police Department while Chief G. E. Cassady was the Police Chief for Martinsville Police Department.

Attachments in support of why FOIA Request should not be refused by the City of Martinsville and Martinsville Police Department.

1. DECLARATION OF BRIAN DAVID HILL IN SUPPORT OF FOIA REQUEST FILED ON JANUARY 20, 2023, AND IN SUPPORT OF "ADDENDUM TO FOIA REQUEST TO MARTINSVILLE POLICE DEPARTMENT AND CITY OF MARTINSVILLE – FOIA REQUEST" - 9 pages (nine pages)
2. Three court orders, General District Court Order dated November 28, 2018; Circuit Court Orders dated February 6, 2019, and July 15, 2019. Orders not complied with by City of Martinsville and Commonwealth of Virginia. - 8 pages (eight pages)

You have your evidence Kendall Davis. You cannot refuse my FOIA Request and cannot use the law enforcement exemption as I am asserting an exception to that exemption under the normal Virginia FOIA process.

I hope you will comply with the Virginia FOIA law, now that I have submitted my unsworn affidavit to the Circuit Court and to you as well. Unsworn affidavit under Virginia Code § 8.01-4.3. "Unsworn declarations under penalty of perjury; penalty."

Since I never provided that affidavit and information to you on January 20, 2023, where I am asserting an exception to the exemption under Virginia FOIA for requesting law enforcement records, I will give you another five days and I am sure any Court in Virginia would give you five days to respond to my addendum to my original FOIA Request. You can ask the Court for more time, whatever you need to find the records, locate the records, and then allow Judge Greer, myself, the Commonwealth Attorney, and the Clerk to have copies of those records to prove to the Circuit Court as to the facts I alleged in my post-conviction motion which I had filed on January 26, 2023.

If I do not hear back from you regarding this exact letter in six days, I will be filing a lawsuit in the General District Court against Kendall Davis for violating my Constitutional and legal rights under the Virginia Freedom

of Information Act. I have requested the records which falls under an exemption but I have asserted an exception to that exact exemption. You can no longer refuse my FOIA Request otherwise I will file a lawsuit against Kendall Davis, asking the judge of the General District Court to compel compliance with the Virginia FOIA when I provided a proper affidavit under penalty of perjury as to why the records are needed and are material to the post-conviction proceeding, aka a post-conviction motion asking to set aside judgment or vacate judgment over fraud on the court in a criminal case.

So I ask that you respond in at least 6 days, even though the law gives you five days to file a written response to my FOIA Request. I will give you six days just for me to be nice, but even an In Forma Pauperis filer can file a lawsuit to protect his rights under the Virginia Constitution and United States Constitution.

Please respond Kendall Davis, how you wish to proceed in regard to my FOIA Request since I have cited a proper exception to the FOIA exemptions, and therefor former Attorney Eric Monday's 2019 opinion cannot be used in my current FOIA Request since I have asserted an exception to the exemption as a matter of law. I will file a lawsuit in six days or if I am still being blocked from my FOIA Request despite filing my affidavit and current post-conviction motion filed in the Circuit Court, I had proven that the exemption does not apply to my particular FOIA Request.

Thank you for your time and attention to this matter. Where We Go One We Go All (WWG1WGA), Nothing Can Stop What Is Coming (NCSWIC). I am an ally of Q/QAnon for a reason.



Brian D. Hill

God bless you,
Brian D. Hill
Ally of Q, Former news reporter of U.S.W.G.O. Alternative News
310 Forest Street, Apartment 2
Martinsville, Virginia 24112

(276) 790-3505
JusticeForUSWGO.NL or JusticeForUSWGO.wordpress.com

Received On 2/13/2023 By User: jnunn Circuit Court Clerk's Office Martinsville, VA Jean P. Nunn, Clerk

VIRGINIA: IN THE CIRCUIT COURT FOR THE CITY OF MARTINSVILLE

COMMONWEALTH OF VIRGINIA,	)	
CITY OF MARTINSVILLE,	)	CASE NO: CR19000009-00
PLAINTIFF(s),	)	
	)	**DECLARATION OF BRIAN DAVID HILL IN SUPPORT OF FOIA REQUEST FILED ON JANUARY 20, 2023, AND IN SUPPORT OF "ADDENDUM TO FOIA REQUEST TO MARTINSVILLE POLICE DEPARTMENT AND CITY OF MARTINSVILLE – FOIA REQUEST"**
v.	)	
	)	
BRIAN DAVID HILL,	)	
DEFENDANT.	)	

DECLARATION OF BRIAN DAVID HILL IN SUPPORT OF FOIA REQUEST FILED ON JANUARY 20, 2023, AND IN SUPPORT OF "ADDENDUM TO FOIA REQUEST TO MARTINSVILLE POLICE DEPARTMENT AND CITY OF MARTINSVILLE – FOIA REQUEST"

Respectfully submitted with the Court,

This the 12th day of February, 2023.

Brian D. Hill
Signed
Brian D. Hill

Brian D. Hill
Defendant
Former news reporter of U.S.W.G.O. Alternative News
Ally of Q
310 Forest Street, Apartment 2
Martinsville, Virginia 24112
(276) 790-3505
JusticeForUSWGO.NL or JusticeForUSWGO.wordpress.com

Pursuant to the Virginia Code § 8.01-4.3. “Unsworn declarations under penalty of perjury; penalty.”, criminal defendant Brian David Hill hereby state as follows to the Circuit Court for the City of Martinsville under penalty of perjury,

1. I am Brian David Hill, criminal defendant in this case. I am a party to this litigation. CASE NO: CR19000009-00. At this time and at the time I had filed my FOIA Request letter on January 20, 2023, I have no attorney representing and am representing myself pro se at this time and at the time I had filed my FOIA Request letter dated January 20, 2023. I am the FOIA Requester Brian D. Hill in my letter faxed on January 20, 2023.

2. On or about January 26, 2023, I had filed a **post-conviction motion** entitled: “MOTION FOR SET ASIDE OR RELIEVE DEFENDANT OF JUDGMENT OF CONVICTION OF CRIMINAL CHARGE PURSUANT TO VIRGINIA CODE § 8.01-428(D), VIRGINIA CODE § 8.01-428(A) AND VIRGINIA CODE § 8.01-428(B) ON THE BASIS OF FRAUD UPON THE COURT, CLERICAL FACTUAL ERRORS”. It is still pending as far as I am aware.

3. I had filed a FOIA Request letter by FAX on January 20, 2023, to the City of Martinsville and Martinsville Police Department. I had three specific requests/questions in my original FOIA Request letter:

a) Question #1 (Public policy record question): What is the length of the evidence retention period of police body-camera footage stored after an incident before it can destroyed? Is it a year? Is it two years? What is the policy of Martinsville Police Department's retention period of retaining body-camera evidence before it is destroyed? (referring to potential evidence not subject to a litigation) The records I am seeking on this particular question is the policy papers of the Department, and the question may be answered additionally to requesting those records. Policy is usually same as a law or regulation.

b) Question #2 (Public policy record question): If the police body-camera footage is subject to litigation (criminal or civil) or was in pending litigation and a Court had ordered the body-camera footage to either be retained or to be turned over to a defendant as Brady material, does the body-camera footage still fall under the normal retention then destruction period for preserving body-camera footage before the body-camera footage is destroyed or does litigation involving the Police Department prohibit the Police Department from destroying the body-camera footage during pending litigation? The records I am seeking on this particular question is the policy papers of the Department, and the question may be answered additionally to requesting those records. Policy is same as law, subject to public review.

c) Question #3: When did the Martinsville Police Department destroy the body-camera footage recorded on September 21, 2018 of the subject/suspect Brian David Hill? When in 2018 or 2019 was the body-camera footage destroyed regarding Brian David Hill? Any records of when it was destroyed? It was recorded by Officer Robert Jones at the time. I know it was recording because I saw the device on his uniform light up red. So I know that was a body-camera device and I know it had recorded on that day. My source told me that the body-camera footage was destroyed. I was told this in August, 2019 or September, 2019, claiming that it was the body-

camera evidence retention period as to why it was destroyed. I was told that the body-camera footage was destroyed. My source told me this. If you do have the body-camera footage, may I have a copy of it to have experts look at it including the Innocence Project of Virginia? The third question is asking for records concerning myself.

4. The records being requested in my FOIA Request are material to such post-conviction motion/criminal case litigation action, referring to my post-conviction motion filed on January 26, 2023.

5. My FOIA Request was filed by fax on January 20, 2023, and my post-conviction motion which one ground of that motion was challenging the conviction/judgment on the basis of fraud on the court was filed on January 26, 2023, and Honorable Judge Giles Carter Greer was also emailed a digital copy of those pleadings (post-conviction motion, Evidence Exhibits, Declaration Evidence filings) by Roberta Hill at rbhill67@comcast.net, and was considered filed by the Clerk of the Circuit Court that same day. Hon. Judge Greer had not yet made a decision regarding my post-conviction motion which includes a ground on fraud on the court. It is not barred by Rule 1:1 since it is challenging fraud on the court where a court had been deceived by a party in the case. I heard that Virginia Code § 8.01-428, is a limited statutory exception to Rule 1:1. I read case law on this statute.

6. The records requested in my original FOIA Request on January 20, 2023 are to prove unlawful destruction of the police-body-camera footage, recorded by Officer Robert Jones on September 21, 2018, the Officer with the body-camera on his uniform, on his person, that officer Robert Jones recording myself during the incident on that day which led to my charge and arrest, recorded me while questioning me about why I was naked on the walking trail at night. The body-camera footage was destroyed and I know this because my source was Attorney Matthew Scott Thomas Clark, appointed by the Circuit Court on August 1, 2019. When I spoke to him sometime in either August 2019 or September 2019, he was aware that I had wanted the body-camera footage, and I do recall that Matthew Clark did try to ask the Commonwealth Attorney about the body-camera footage before he told me it was destroyed. He told me that the body-camera footage had been destroyed due to an evidence retention period as maybe it was policy of Martinsville Police Department, he may have told me the retention period was 6 months 9 months, 8 months, some period of months of evidence being retained aka retention period before evidence is destroyed. I had written a letter pro se earlier in January 2019 asking for the body-camera footage. I had written a letter, made a photocopy of that letter using a copying machine for inmates at FCI-1 Butner federal prison when I was there for a mental evaluation in January 2019 and further months in 2019, and mailed a photocopy of that same mailed original written letter

to Police Chief G. E. Cassady at the time. Then my grandparents Kenneth and Stella Forinash mailed a typed version of my letter (Typed letter dated: March 13, 2019) with certified mail and return receipt to the Police Chief G. E. Cassady asking for the body-camera footage. We all asked for the body-camera footage while at the time none of us knew of the court orders from both General District Court and the Circuit Court asking for the body-camera footage in the discovery orders by the courts. I was not aware of what was in those court orders, I had been in jail and federal prison during the period of the two court orders, and was not aware of them asking for the body-camera footage. My letters do support those court orders even though I wasn't aware of those court orders but I knew they were Brady material and I had a right to that material evidence during a criminal case. The other court order while I was released on state bond/bail, I was not aware of that July 2019 court order either as my court appointed lawyers never shown them to me or I cannot recall ever seeing those orders.

6. Attorney Matthew Scott Thomas Clark told me that the body-camera footage was destroyed in August 2019 or September 2019. Despite the pending litigation and jury trial being set by the Circuit Court on the Commonwealth Attorney's request or demand for a jury trial. I was going to be forced to appear before a jury trial for my charged crime after the body-camera footage was destroyed, and none of my lawyers ever filed any motion asking for enforcement of

those court orders, never asked for any capias or any charge of the Commonwealth Attorney not complying with a court order, never asked for sanctions against the Commonwealth Attorney. Attorney Matthew Clark told me in front of my family members after he told me it had been destroyed, told me that he thought the body-camera footage would hurt me as if he insinuated that it was better that it was destroyed, but that made no sense to me. If that was the case where the footage could have hurt me in my criminal case, the prosecution would have used the body-camera footage against me in General District Court, they would not have violated or not complied with one or more court orders for discovery. If the body-camera footage would have made me look guilty, they would have used it, they never would have destroyed it. I believe the body-camera footage would have shown me as intoxicated or giving an indication of me being intoxicated on the video recording of me naked on September 21, 2018, and that would have caused the judge to find me not guilty in General District Court in regard to the charge of intentionally making an obscene display. Any indication of intoxication in the body-camera footage would have caused the judge to feel that I was intoxicated, especially if any toxicology expert or even any medical expert could have saw in the body-camera footage, and the judge would not have been convinced of intent and obscenity, I believe the judge would have found me not guilty as a matter of law. The judge likely would have found me not guilty as charged had the evidence

not been destroyed. The cover up of the body-camera footage is in my belief unlawful since it was during pending criminal case litigation, with a demand for jury trial, and after three court orders asking for discovery materials which encompasses the body-camera footage evidence material to the very criteria in those court orders. My letters support those court orders despite not knowing of those exact court orders.

7. My FOIA Request on January 20, 2023, all three questions are material to the post-conviction motion I later filed on January 26, 2023. A copy of my FOIA Request letter dated "FRIDAY, JANUARY 20, 2022", was filed as EXHIBIT 12 attached to: "MOTION FOR SET ASIDE OR RELIEVE DEFENDANT OF JUDGMENT OF CONVICTION OF CRIMINAL CHARGE PURSUANT TO VIRGINIA CODE § 8.01-428(D), VIRGINIA CODE § 8.01-428(A) AND VIRGINIA CODE § 8.01-428(B) ON THE BASIS OF FRAUD UPON THE COURT, CLERICAL FACTUAL ERRORS" by Brian David Hill. It is material to that post-conviction motion. It is material and therefore my FOIA Request is regarding records I believe I am constitutionally entitled to as material evidence needed to prove the facts in my post-conviction motion regarding what I believe is unlawful destruction of material evidence (body-camera footage) in my criminal case.

8. I had filed my FOIA Request in good faith and not for delay, and am filing my ADDENDUM TO FOIA REQUEST TO MARTINSVILLE POLICE DEPARTMENT AND CITY OF MARTINSVILLE – FOIA REQUEST in good faith and not for delay. I am filing this unsworn declaration in good faith and not for delay.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on February 12, 2023.

Brian D. Hill
Signed

Brian D. Hill

Brian D. Hill
Defendant
Former news reporter of U.S.W.G.O. Alternative News
Ally of Q
310 Forest Street, Apartment 2
Martinsville, Virginia 24112
(276) 790-3505
JusticeForUSWGO.NL or JusticeForUSWGO.wordpress.com

Received On 2/13/2023 By User: jhunn Circuit Court Clerk's Office Martinsville, VA Jean P. Nunn, Clerk

VIRGINIA: IN THE GENERAL DISTRICT COURT FOR THE CITY OF MARTINSVILLE

COMMONWEALTH OF VIRGINIA,	)	
	)	
v.	)	**CASE NO: C18-3138**
	)	
BRIAN DAVID HILL,	)	
Defendant.	)	

ORDER

This case came this day to be heard upon the written motion of the Defendant, BRIAN DAVID HILL, by counsel, who moved, pursuant to Rule 7C:5 of the Rules of the Supreme Court of Virginia, that the Commonwealth's Attorney be directed to permit the Defendant discovery in this case, as set forth in said Rule, and

It appearing to the Court that discovery pursuant to Rule 7C:5 should be granted to the Defendant, it is hereby ORDERED and DECREED that the Commonwealth's Attorney permit counsel for the Defendant to inspect and copy or photograph, within a reasonable time, before the preliminary hearing, the following:

(1) Any relevant written or recorded statements or confessions made by the Defendant, or copies thereof, or the substance of any oral statements or confessions made by the Defendant to any law enforcement officer, the existence of which is known to the attorney for the Commonwealth;

(2) A copy of any criminal record of the accused; and

(3) Any exculpatory information or evidence as set forth by *Brady v. Maryland* and its progeny that is known to the Commonwealth.

And it is further ADJUDGED, ORDERED and DECREED that the Commonwealth shall promptly notify counsel for the Defendant of the existence of any additional material

subsequently discovered which falls within the scope of this motion and make all such additional material available to the Defendant's attorney in accordance with the text and intention of this Motion.

ENTER this 28 day of November, 2018.

Judge

I ASK FOR THIS:

Scott Albrecht, Esq. (VSB #88411)
Office of the Public Defender
P.O. Drawer 31
Martinsville, VA 24114
T: (276) 666-2206 ext. 106
F: (276) 666-8929
salbrecht@mar.idc.virginia.gov
Counsel for Defendant

SEEN and Agreed:

Attorney for the Commonwealth
City of Martinsville, Virginia
P.O. Box 1311
Martinsville, VA 24112
T: (276) 403-5470

Michael McPherson
Returned for
Bond hearing
10-12-18
9:45a

RECEIVED
DATE/TIME 11-28-18 11a
BY D. Collins D. Clerk
MARTINSVILLE GENERAL DISTRICT COURT

VIRGINIA: IN THE CIRCUIT COURT FOR THE CITY OF MARTINSVILLE

COMMONWEALTH OF VIRGINIA,
Plaintiff

vs. CR19-009

BRIAN DAVID HILL,
Defendant.

ORDER REGARDING DISCOVERY

Came this day, the Defendant, Brian David Hill, by counsel, who moved, pursuant to Rule 3A:11 of the Rules of Court, that the Commonwealth's Attorney be directed to permit the Defendant discovery in this case, as set forth in the said Rule, and upon the motion of the attorney of the Commonwealth requesting reciprocal discovery under the said Rule; and,

It appearing to the Court that discovery pursuant to Rule 3A:11(b) should be granted to the Defendant, it is hereby ORDERED that the Commonwealth's Attorney permit counsel for the Defendant to inspect and copy or photograph, within a reasonable time, before the trial or sentencing, the following:

(1) Any relevant written or recorded statements or confessions made by the Defendant, or copies thereof, or the substance of any oral statements or confessions made by the Defendant to any law enforcement officer, the existence of which is known to the attorney for the Commonwealth, any certificates of analysis pursuant to §19.2-187, and any relevant written reports of autopsies, ballistic tests, fingerprint analyses, handwriting analyses, blood, urine, and breath tests, other scientific reports, and written reports of a physical or mental examination of the Defendant or the alleged victim made in connection with this particular case, or copies thereof, that are known by the Commonwealth's Attorney to be within the possession, custody, or

control of the Commonwealth.

(2) Any exculpatory information or evidence under the guidelines established by Brady v. Maryland, 373 U.S. 83 (1963), and subsequent case law, whether by way of statements, real evidence, scientific analysis, or reports, known to or in the possession of the Commonwealth.

(3) The Commonwealth shall promptly notify counsel for the Defendant of the existence of any additional material subsequently discovered (until the time of trial and at trial) which falls within the scope of this motion and make all such additional material available to the Defendant's attorney in accordance with the text and intention of this Motion.

It appearing to the Court that the motion for reciprocal discovery filed by the attorney for the Commonwealth pursuant to Rule 3A:11 should also be granted, it is hereby ORDERED that counsel for the Defendant permit the Commonwealth's Attorney to inspect, copy, or photograph, within a reasonable time, but not less than ten days before the trial or sentencing, any written reports of autopsy examinations, ballistic tests, fingerprints, blood, urine, and breath analyses, and other scientific tests that may be within the Defendant's possession, custody, or control and which the defense intends to proffer or introduce into evidence at the trial or sentencing:

It is further ORDERED that the Defendant disclose whether he or she intends to introduce evidence to establish an alibi, and, if so, to disclose the place at which he or she claims to have been at the time of the commission of the alleged offense.

It is further ORDERED that if the Defendant intends to rely upon the defense of insanity or feeblemindedness, the Defendant shall permit the Commonwealth to inspect, copy, or photograph any written reports of physical or mental examination of the Defendant made in connection with this particular case.

It is further ORDERED that the inspection and copying or photographing by the counsel for the Defendant shall take place at the office of the Commonwealth's Attorney at Martinsville, Virginia, or at some other mutually agreeable location, by appointment or at any convenient time during regular office hours, and that the inspection and copying or photographing by the attorney for the Commonwealth shall take place at the office of the counsel for the Defendant, or at some other mutually agreeable location, by appointment or at any convenient time during regular office hours.

ENTERED this 6th day of February, 2019.

Judge

I ASK FOR THIS:

Scott Albrecht (VSB #88411)
Office of the Public Defender
P. O. Drawer 31
Martinsville, VA 24114
276-666-2206
276-666-8929 (fax)
salbrecht@mar.idc.virginia.gov

SEEN:

Counsel for the Commonwealth

VIRGINIA: IN THE CIRCUIT COURT FOR THE CITY OF MARTINSVILLE

COMMONWEALTH OF VIRGINIA,
Plaintiff

vs. CR19000009-00

BRIAN DAVID HILL,
Defendant.

ORDER REGARDING DISCOVERY

Came this day, the Defendant, Brian David Hill, by counsel, who moved, pursuant to Rule 3A:11 of the Rules of Court, that the Commonwealth's Attorney be directed to permit the Defendant discovery in this case, as set forth in the said Rule, and upon the motion of the attorney of the Commonwealth requesting reciprocal discovery under the said Rule; and,

It appearing to the Court that discovery pursuant to Rule 3A:11(b) should be granted to the Defendant, it is hereby ORDERED that the Commonwealth's Attorney permit counsel for the Defendant to inspect and copy or photograph, within a reasonable time, before the trial or sentencing, the following:

(1) Any relevant written or recorded statements or confessions made by the Defendant, or copies thereof, or the substance of any oral statements or confessions made by the Defendant to any law enforcement officer, the existence of which is known to the attorney for the Commonwealth, any certificates of analysis pursuant to §19.2-187, and any relevant written reports of autopsies, ballistic tests, fingerprint analyses, handwriting analyses, blood, urine, and breath tests, other scientific reports, and written reports of a physical or mental examination of the Defendant or the alleged victim made in connection with this particular case, or copies thereof, that are known by the Commonwealth's Attorney to be within the possession, custody, or

control of the Commonwealth.

(2) Any exculpatory information or evidence under the guidelines established by Brady v. Maryland, 373 U.S. 83 (1963), and subsequent case law, whether by way of statements, real evidence, scientific analysis, or reports, known to or in the possession of the Commonwealth.

(3) The Commonwealth shall promptly notify counsel for the Defendant of the existence of any additional material subsequently discovered (until the time of trial and at trial) which falls within the scope of this motion and make all such additional material available to the Defendant's attorney in accordance with the text and intention of this Motion.

It appearing to the Court that the motion for reciprocal discovery filed by the attorney for the Commonwealth pursuant to Rule 3A:11 should also be granted, it is hereby ORDERED that counsel for the Defendant permit the Commonwealth's Attorney to inspect, copy, or photograph, within a reasonable time, but not less than ten days before the trial or sentencing, any written reports of autopsy examinations, ballistic tests, fingerprints, blood, urine, and breath analyses, and other scientific tests that may be within the Defendant's possession, custody, or control and which the defense intends to proffer or introduce into evidence at the trial or sentencing:

It is further ORDERED that the Defendant disclose whether he or she intends to introduce evidence to establish an alibi, and, if so, to disclose the place at which he or she claims to have been at the time of the commission of the alleged offense.

It is further ORDERED that if the Defendant intends to rely upon the defense of insanity or feeblemindedness, the Defendant shall permit the Commonwealth to inspect, copy, or photograph any written reports of physical or mental examination of the Defendant made in connection with this particular case.

It is further ORDERED that the inspection and copying or photographing by the counsel for the Defendant shall take place at the office of the Commonwealth's Attorney at Martinsville, Virginia, or at some other mutually agreeable location, by appointment or at any convenient time during regular office hours, and that the inspection and copying or photographing by the attorney for the Commonwealth shall take place at the office of the counsel for the Defendant, or at some other mutually agreeable location, by appointment or at any convenient time during regular office hours.

ENTERED this 15th day of July, 2019.

Judge

I ASK FOR THIS:

Scott Albrecht (VSB #88411)
Office of the Public Defender
P. O. Drawer 31
Martinsville, VA 24114
276-666-2206
276-666-8929 (fax)
salbrecht@mar.idc.virginia.gov

SEEN:

Counsel for the Commonwealth

Jeanie Nunn

From: ROBERTA HILL <rbhill67@comcast.net>
Sent: Monday, February 13, 2023 3:38 PM
To: Jeanie Nunn
Cc: Andy Hall; stanleybolten@justiceforuswgo.nl; kenstella2005@comcast.net; Ken & Stella Forinash; Judge Greer
Subject: Fwd: Status of FOIA Request of Brian David Hill?
Attachments: Brian Hill FOIA Request.pdf

Importance: High

CAUTION: This email originated outside the City of Martinsville's email system.
Do not click links or open attachments unless you recognize the sender and know the content is safe.

(case no. CR19000009-00) Forward email of response to Brian David Hill's FOIA Request.

My son may write a short formal pleading about the new evidence surfaced from Kendall Davis at a later time. If he does, I will email you that. It does prove cover up of body-camera footage.

Thanks,
Roberta Hill

on behalf of Defendant (since he cannot use the internet):
Brian David Hill
310 Forest Street, Apartment 2
Martinsville, Virginia 24112
-------- Forwarded Message --------
Subject: Re: Status of FOIA Request of Brian David Hill?
Date: Mon, 13 Feb 2023 20:01:11 +0000
From: Kendall Davis <kdavis@ci.martinsville.va.us>
To:ROBERTA HILL <rbhill67@comcast.net>

My apologies, I attached the wrong document. I had used Eric Monday's previous letter as a reference to format my response to your request, and accidentally uploaded the wrong file.

Here is the correct document, you should be receiving it in the mail this week.

Please be assured that the previous email was not the response to your FOIA request.

Kendall Davis
Public Information Officer
(O)276-403-5379

(M)276-734-0164
kdavis@ci.martinsville.va.us

Martinsville
A CITY WITHOUT LIMITS

From: ROBERTA HILL <rbhill67@comcast.net>
Sent: Friday, February 10, 2023 4:48 PM
To: Kendall Davis <kdavis@ci.martinsville.va.us>
Cc: foiacouncil@dls.virginia.gov <foiacouncil@dls.virginia.gov>; stanleybolten@justiceforuswgo.nl <stanleybolten@justiceforuswgo.nl>; Lin Wood <lwood@linwoodlaw.com>
Subject: Re: Status of FOIA Request of Brian David Hill?

CAUTION: This email originated outside the City of Martinsville's email system.
Do not click links or open attachments unless you recognize the sender and know the content is safe.

My son Brian Hill plans to file a suit in General District Court next week. As courtesy, I am emailing you evidence attachment that Attorney Eric Monday had his contract with the City of Martinsville terminated in December, 2022.

I am emailing proof that Attorney Eric Monday was no longer the attorney effective January 2, 2023. You should know that, yet you are sending an old 2019 letter as if it is a current response, an old 2019th response from an attorney who was terminated for service for the City of Martinsville on January 2nd before my son's FOIA request was even filed on January 20, 2023. This sounds like fraud to me or misrepresentation to file an old letter as a response to a more recent FOIA request. I don't even think you read over the whole thing.

See attachment file: article_3050f0a0-7bd3-11ed-a1a7-3361f9f28edb.html.pdf: Council terminates City Attorney's contract. See https://martinsvillebulletin.com/news/local/council-terminates-city-attorneys-contract/article_3050f0a0-7bd3-11ed-a1a7-3361f9f28edb.html

Also My son and I reviewed over the letter but that response was not to the current FOIA request but to a FOIA request made in 2019 over an entirely different thing. Brian isn't just any member of the public, his lawyer had court orders for the body-camera footage and yet the Police have repeatedly refused to comply with those court orders. Your all breaking the law to protect those who illegally destroyed evidence which would have proven my son innocent of indecent exposure.

This is not a current response which you had sent digitally but a response from 2019 over an entirely different FOIA request in 2019 over a search warrant. My son was able to get that document from the Clerk, but the records are concerning police body-camera footage and it's unlawful destruction. Brian needs that record to prove in a court of law when the body-camera footage was illegally destroyed in his criminal case to prove FRAUD ON THE COURT. At this point the whole criminal case is a fraud anyways, and your all protecting lies and fraud over what??? My son had medical issues in 2018 and the police treated his medical issues and autism as a crime.

My son will go ahead and file a lawsuit over not a current response but are filing a 2019 response over an entirely different matter. My son says he plans to sue over this improper response which isn't even dated in the current year of 2023. Using a Eric Monday letter from 2019.

Search warrants are different than records over body-camera footage. The courts have asked for the body-camera footage in three seperate orders and the corrupt former police chief G. E. Cassady kept stonewalling every request in violation of court orders. Your part of the cover up now, and this is documented for a court of law. **You are complicit in the cover up of evidence destroying body-camera footage which multiple courts had asked for.**

On 02/10/2023 1:51 PM Kendall Davis <kdavis@ci.martinsville.va.us> wrote:

I was able to get a response to his request this afternoon. Here is a digital response, I'll send one via mail on Monday morning.

Kendall Davis

Public Information Officer

(O)276-403-5379

(M)276-734-0164

kdavis@ci.martinsville.va.us

Martinsville
A CITY WITHOUT LIMITS

From: ROBERTA HILL <rbhill67@comcast.net>
Sent: Friday, February 10, 2023 1:19 PM
To: Kendall Davis <kdavis@ci.martinsville.va.us>
Subject: Fwd: Status of FOIA Request of Brian David Hill?

CAUTION: This email originated outside the City of Martinsville's email system.
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---------- Original Message ----------
From: ROBERTA HILL <rbhill67@comcast.net>
To: "mstrait@ci.martinsville.va.us" <mstrait@ci.martinsville.va.us>
Date: 02/10/2023 12:47 PM
Subject: Status of FOIA Request of Brian David Hill?

City Attorney of Martinsville, Virginia,

What is the status and case number of my son's FOIA Request dated January 20, 2023?

Brian faxed the FOIA request on January 20, 2023 but does not know if it has yet been assigned a case number yet.

They are attached.
1. Status Letter to City of Martinsville and Police on FOIA - February 10, 2023(1).pdf: Brian's letter asking for status on his earlier filed FOIA request;
2. Letter to City of Martinsville and Police on FOIA - January 20, 2023(2).pdf: Brian's original FOIA request letter
3. {2023-01-20} [2].pdf: Transmission tickets proving receipt of FOIA request letter.

Thanks,
Roberta Hill

Received On 2/13/2023 By User: jnunn Circuit Court Clerk's Office Martinsville, VA Jean P. Nunn, Clerk

Martinsville
A CITY WITHOUT LIMITS

February 10, 2023

Brian David Hill

310 Forest Street, Apt. 1

Martinsville, VA 24112

Dear Mr. Hill,

Please see the following information in regards to your FOIA request. These answers were provided by Police Chief Rob Fincher.

#1

The Martinsville Police Department utilizes a server-based video system created by COBAN Tech Corporation which is now owned by Safe Fleet Inc. This system has a programed Digital Video Management System or DVMS. The DVMS follows a retention system for those videos that have not been marked as evidence by the Commonwealth's Attorney's Office. If the Commonwealth's Attorney's Office designates a video as evidence it is retained indefinitely. All other videos are subject to the DVMS retention schedule. The DVMS begins cleanup when a video is within the minimum and maximum hold period for its event classification and when the disk usage is more than 80% and have not been accessed in 150 days. DVMS cleanup refers to changing the file allocation address of that data file to allow for other data to be stored in place of that file. This is like all computer systems in that if you tell the computer to delete an item, it is not actually deleted but designated to be overwritten. The event type retention schedule for the DVMS is as follows;

Event Type	Minimum Days	Maximum Days
Assist other Agency	183	200
Assist other Officer	183	200
Vehicle Crash	183	200
Alarm – Business/Residential	120	150
Body Camera default	183	200
Criminal Apprehension	365	400
CIT – ECO – TDO	183	200

Disorderly Person / Group	183	200
Domestic	365	400
DUI-DUID	365	400
Funeral Escort	30	31
General Assistance	180	200
General Traffic Stop	365	400
Interview Rooms	365	366
Pursuit	365	400
Redlight/Stop Sign	200	201
Suspect Interview	365	400
Speeding	183	200
Training	200	300
Victim Interview	183	200
Video Training	10	11
Witness Interview	183	200

#2

If a court receives an item as evidence or potential evidence, then the court retains those items in their evidence storage. A court can issue a preservation order in certain circumstances for a limited time with certain data evidence. I have not heard of one ever being used for video data. It is mostly used for cellphone and telephone data. If litigation is filed within a court then the status of a video regarding that case would then be changed to “evidence” and then retained indefinitely. Notice of that litigation would have to be served on the department within the retention period followed. If a suit is filed after the evidence has been destroyed there is no way to “un-destroy” an item.

#3

In the records logs, I see that two videos, one body camera and one in-car camera, that were labeled David Hill from that date were removed (deleted) by the DVMS system on 4/9/2019. Neither video was indicated as evidence, so unfortunately, we do not have either. If I had the videos, I would have no problem giving them to you but unfortunately, I do not.

Sincerely

Kendall Davis

Public Information Officer

City of Martinsville

Jeanie Nunn

From: ROBERTA HILL <rbhill67@comcast.net>
Sent: Monday, February 13, 2023 3:39 PM
To: Kendall Davis
Cc: Jeanie Nunn; Andy Hall; stanleybolten@justiceforuswgo.nl; foiacouncil@dls.virginia.gov; kenstella2005@comcast.net; Ken & Stella Forinash; Judge Greer
Subject: Re: Status of FOIA Request of Brian David Hill? (case no. CR19000009-00)

Importance: High

CAUTION: This email originated outside the City of Martinsville's email system.
Do not click links or open attachments unless you recognize the sender and know the content is safe.

Thank You,

My son has reviewed over the document and he said that this satisfies his FOIA Request, thank you. This email and attachment will be forwarded to Judge Greer to inform him of what my son found out today. Brian will go ahead and proceed with his Motion dealing with fraud on the court, and this response and the attached document will be sent to the Clerk to notify them of when the body-camera footage was destroyed/deleted.

My son will not pursue this FOIA request any further since the information has been obtained.

Thanks,
Roberta Hill

on behalf of Defendant (since he cannot use the internet):
Brian David Hill
310 Forest Street, Apartment 2
Martinsville, Virginia 24112

On 2/13/2023 3:01 PM, Kendall Davis wrote:

> My apologies, I attached the wrong document. I had used Eric Monday's previous letter as a reference to format my response to your request, and accidentally uploaded the wrong file.
>
> Here is the correct document, you should be receiving it in the mail this week.
>
> Please be assured that the previous email was not the response to your FOIA request.
>
> **Kendall Davis**

Public Information Officer
(O)276-403-5379
(M)276-734-0164
kdavis@ci.martinsville.va.us

Martinsville
A CITY WITHOUT LIMITS

From: ROBERTA HILL <rbhill67@comcast.net>
Sent: Friday, February 10, 2023 4:48 PM
To: Kendall Davis <kdavis@ci.martinsville.va.us>
Cc: foiacouncil@dls.virginia.gov <foiacouncil@dls.virginia.gov>; stanleybolten@justiceforuswgo.nl <stanleybolten@justiceforuswgo.nl>; Lin Wood <lwood@linwoodlaw.com>
Subject: Re: Status of FOIA Request of Brian David Hill?

CAUTION: This email originated outside the City of Martinsville's email system.
Do not click links or open attachments unless you recognize the sender and know the content is safe.

My son Brian Hill plans to file a suit in General District Court next week. As courtesy, I am emailing you evidence attachment that Attorney Eric Monday had his contract with the City of Martinsville terminated in December, 2022.

I am emailing proof that Attorney Eric Monday was no longer the attorney effective January 2, 2023. You should know that, yet you are sending an old 2019 letter as if it is a current response, an old 2019th response from an attorney who was terminated for service for the City of Martinsville on January 2nd before my son's FOIA request was even filed on January 20, 2023. This sounds like fraud to me or misrepresentation to file an old letter as a response to a more recent FOIA request. I don't even think you read over the whole thing.

See attachment file: article_3050f0a0-7bd3-11ed-a1a7-3361f9f28edb.html.pdf: Council terminates City Attorney's contract. See https://martinsvillebulletin.com/news/local/council-terminates-city-attorneys-contract/article_3050f0a0-7bd3-11ed-a1a7-3361f9f28edb.html

Also My son and I reviewed over the letter but that response was not to the current FOIA request but to a FOIA request made in 2019 over an entirely different thing. Brian isn't just any member of the public, his lawyer had court orders for the body-camera footage and yet the Police have repeatedly refused to comply with those court orders. Your all breaking the law to protect those who illegally destroyed evidence which would have proven my son innocent of indecent exposure.

This is not a current response which you had sent digitally but a response from 2019 over an entirely different FOIA request in 2019 over a search warrant. My son was able to get that document from the Clerk, but the records are concerning police body-camera footage and it's unlawful destruction. Brian needs that record to prove in a court of law when the body-camera footage was illegally destroyed in his criminal case to prove

FRAUD ON THE COURT. At this point the whole criminal case is a fraud anyways, and your all protecting lies and fraud over what??? My son had medical issues in 2018 and the police treated his medical issues and autism as a crime.

My son will go ahead and file a lawsuit over not a current response but are filing a 2019 response over an entirely different matter. My son says he plans to sue over this improper response which isn't even dated in the current year of 2023. Using a Eric Monday letter from 2019. Search warrants are different than records over body-camera footage. The courts have asked for the body-camera footage in three seperate orders and the corrupt former police chief G. E. Cassady kept stonewalling every request in violation of court orders. Your part of the cover up now, and this is documented for a court of law. **You are complicit in the cover up of evidence destroying body-camera footage which multiple courts had asked for.**

On 02/10/2023 1:51 PM Kendall Davis <kdavis@ci.martinsville.va.us> wrote:

I was able to get a response to his request this afternoon. Here is a digital response, I'll send one via mail on Monday morning.

Kendall Davis

Public Information Officer

(O)276-403-5379

(M)276-734-0164

kdavis@ci.martinsville.va.us



From: ROBERTA HILL <rbhill67@comcast.net>
Sent: Friday, February 10, 2023 1:19 PM
To: Kendall Davis <kdavis@ci.martinsville.va.us>
Subject: Fwd: Status of FOIA Request of Brian David Hill?

CAUTION: This email originated outside the City of Martinsville's email system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

---------- Original Message ----------
From: ROBERTA HILL <rbhill67@comcast.net>
To: "mstrait@ci.martinsville.va.us" <mstrait@ci.martinsville.va.us>
Date: 02/10/2023 12:47 PM
Subject: Status of FOIA Request of Brian David Hill?

City Attorney of Martinsville, Virginia,

What is the status and case number of my son's FOIA Request dated January 20, 2023?

Brian faxed the FOIA request on January 20, 2023 but does not know if it has yet been assigned a case number yet.

They are attached.
1. Status Letter to City of Martinsville and Police on FOIA - February 10, 2023(1).pdf: Brian's letter asking for status on his earlier filed FOIA request;
2. Letter to City of Martinsville and Police on FOIA - January 20, 2023(2).pdf: Brian's original FOIA request letter
3. {2023-01-20} [2].pdf: Transmission tickets proving receipt of FOIA request letter.

Thanks,
Roberta Hill

Received On 2/15/2023 By User: jnunn Circuit Court Clerk's Office Martinsville, VA Jean P. Nunn, Clerk

VIRGINIA: IN THE CIRCUIT COURT FOR THE CITY OF MARTINSVILLE

COMMONWEALTH OF VIRGINIA,	)	
CITY OF MARTINSVILLE,	)	CASE NO: CR19000009-00
PLAINTIFF(s),	)	
	)	**DECLARATION OF BRIAN DAVID HILL OF NEW EVIDENCE CONCERNING PUBLIC DEFENDER ASSISTANT SCOTT ALBRECHT IN SUPPORT OF MOTION FOR SET ASIDE OR RELIEVE DEFENDANT OF JUDGMENT OF CONVICTION OF CRIMINAL CHARGE PURSUANT TO VIRGINIA CODE § 8.01-428(D), VIRGINIA CODE § 8.01-428(A) AND VIRGINIA CODE § 8.01-428(B) ON THE BASIS OF FRAUD UPON THE COURT, CLERICAL FACTUAL ERRORS**
v.	)	
BRIAN DAVID HILL,	)	
DEFENDANT.	)	

DECLARATION OF BRIAN DAVID HILL OF NEW EVIDENCE CONCERNING PUBLIC DEFENDER ASSISTANT SCOTT ALBRECHT IN SUPPORT OF MOTION FOR SET ASIDE OR RELIEVE DEFENDANT OF JUDGMENT OF CONVICTION OF CRIMINAL CHARGE PURSUANT TO VIRGINIA CODE § 8.01-428(D), VIRGINIA CODE § 8.01-428(A) AND VIRGINIA CODE § 8.01-428(B) ON THE BASIS OF FRAUD UPON THE COURT, CLERICAL FACTUAL ERRORS

Respectfully filed/submitted with the Court,

This the 13th day of February, 2023.

Brian D. Hill
Signed

Brian D. Hill

Brian D. Hill
Defendant
Former news reporter of U.S.W.G.O. Alternative News
Ally of Q
310 Forest Street, Apartment 2, Martinsville, Virginia 24112
(276) 790-3505

JusticeForUSWGO.NL or JusticeForUSWGO.wordpress.com

Pursuant to the Virginia Code § 8.01-4.3. “Unsworn declarations under penalty of perjury; penalty.”, criminal defendant Brian David Hill hereby state as follows to the Circuit Court for the City of Martinsville under penalty of perjury,

1. I am Brian David Hill, criminal defendant in this case. I am a party to this litigation. CASE NO: CR19000009-00. I had filed the “MOTION FOR SET ASIDE OR RELIEVE DEFENDANT OF JUDGMENT OF CONVICTION OF CRIMINAL CHARGE PURSUANT TO VIRGINIA CODE § 8.01-428(D), VIRGINIA CODE § 8.01-428(A) AND VIRGINIA CODE § 8.01-428(B) ON THE BASIS OF FRAUD UPON THE COURT, CLERICAL FACTUAL ERRORS” on January 26, 2023. This Declaration is based on recently discovered evidence.

2. On September 21, 2018, I was appointed a Public Defender by the General District Court due to being considered indigent which is also termed as In Foruma Pauperis in the Federal Court system. The Assistant Public Defender who represented me was Scott Albrecht. He had first met with me in Martinsville City Jail along with an assistant after the Public Defender was appointed, after I was arrested and was considered indigent.

3. Yesterday, my mother Roberta Hill was researching people to contact as I am considering filing a FOIA Lawsuit against Kendall Davis, Public Information Officer for the City of Martinsville, and against Martinsville Police Department. I am considering filing a FOIA lawsuit if no written response in a certain number of

days, or if my FOIA Request is refused even after me filing my addendum and declaration under penalty of perjury which is also an addendum to my original FOIA Request.

4. I am aware that Roberta found in the Staff Directory at the City of Martinsville website, just out of curiosity, an Assistant Commonwealth Attorney named Scott Albrecht. She shown this to me last night. The same name as the very attorney Scott Albrecht who was an Assistant Public Defender in the City of Martinsville, who represented me in General District Court and in the Circuit Court in my criminal case. I haven't yet confirmed whether this "Scott Albrecht" is the same Attorney Scott Albrecht who was supposed to represent me as my court appointed lawyer in 2018-2019, and if it is the same then I believe the Circuit Court would need to conduct an inquiry as to whether a conflict of interest exists in him assisting the Commonwealth Attorney Glen Andrew Hall who had prosecuted me after I was charged with a crime in this case, originally in the General District Court. See Rules of Professional Conduct 1.3, 1.6 and 1.7; see also Holloway v. Arkansas, 435 U.S. 475 (1978); Dowell v. Commonwealth, 3 Va. App. 555 (1987). I asked Roberta Hill to print out in PDF Format the Staff Directory webpage at: https://www.martinsville-va.gov/Directory.aspx?did=25 and Wayback Machine archive at http://web.archive.org/web/20230213050244/https://www.martinsville-va.gov/Directory.aspx?did=25 (text links/urls provided by Roberta Hill).

5. I hereby attach to this Declaration/unsworn-affidavit a true and correct printout of the web-link address at: https://www.martinsville-va.gov/Directory.aspx?did=25, 2 pages printout, of the Staff Directory • Martinsville, VA • CivicEngage. This is attached to this Declaration thereto.

6. I wasn't entirely trusting of Attorney Scott Albrecht because of past issues with court appointed lawyers in my Federal Case in the Middle District of North Carolina. In fact, I had gut feelings which led me to doing pro se things and filing things pro se. Including writing a letter in January 2019 and mailing a photocopy of the same to the Chief of Police requesting the body-camera footage.

7. While I was at Martinsville City Jail and I believe it was around sometime in November 2018, he spoke with me in the jail about him pushing to get the discovery including the photographs of me naked. He told me I was innocent and said that being naked is not illegal because I was not being obscene, that was why I later did case law research when I was in Western Virginia Regional Jail after I was found guilty in General District Court. Scott Albrecht told me that me and him would go over the photos together of me to see under the legal determination if I was aroused in the photos of me naked. Clearly there should have been review over all discovery evidence before the Trial on December 21, 2018. I do not recall ever going over the photos with him to see if we can make any determination. I do not remember, I am trying to remember and I cannot, I do not believe he and me ever

went over the discovery evidence before the Trial in the General District Court on December 21, 2018. The first time I saw the introduced evidence of the printouts of the photos of me in the nude by the Commonwealth Attorney Glen Andrew Hall was at the Trial in the General District Court. I had also filed a pleading in the General District Court about what me and Scott Albrecht talked about, about him telling me that I was innocent. I had filed it in the GD paperwork on November 29, 2018, filed by the Clerk of the General District Court. I did try to mail it out on November 26, 2018 from the jail where I was at the time, and it was filed by the Clerk on November 29, 2018, so technically it was filed on November 29, 2018.

8. There were funny things going on during the Trial in the General District Court. Like Scott Albrecht shown no case law about obscenity being required to have me found guilty of Virginia Code § 18.2-387. See Romick v. Commonwealth, Record No. 1580-12-4 (Va. Ct. App. Nov. 19, 2013), Moses v. Commonwealth, 45 Va. App. 357, 360, 611 S.E.2d 607, 608 (2005) (en banc), etc etc. He did read the statute of obscenity, and Glen Andy Hall did argue that the defendant "was not charged with obscenity", I remember Andy Hall saying those words that I "was not charged with obscenity". I remember him arguing those words. Later on, when I re-read the Arrest Warrant against me, it did charge me with intentionally making an obscene display. So, Mr. Hall was trying to argue a mis-argument in the General District Court. The judge heard me testify under penalty of perjury making

statements about the man wearing the hoodie. Scott Albrecht did ask the Officer Robert Jones if Brian approached anybody and that person screaming “oh my God!” and the officer admitted that I didn’t. Officer Jones’s testimony did support the fact that I was not obscene because in the totality of circumstances I was not trying to appeal to the prurient interest in sex. However, my family members who were present at my Trial watched Scott Albrecht as he argued my case and thought he was kind of letting Glen Andy Hall walk all over him and dominating the Trial proceeding. My mother told me the opinion about him letting Andy Hall kind of dominate the Trial, my grandparents thought he was not doing a good job as an attorney, so this Court may want to question Roberta Hill, Stella Forinash, and Kenneth Forinash. They thought he was kind of a poor lawyer meaning a lawyer who did a poor job defending me, that he wasn’t a good trial attorney.

8. After the judge found me guilty in General District Court, I whispered or said in a low voice to Attorney Scott Albrecht that I wanted him to appeal the decision and told him that I want to appeal it in fear that my supervised release would be violated. Then he said in response that: “your supervised release is already revoked”, and then I was taken away by the officers. I was upset at Scott Albrecht. This Court can also review over the “PUBLIC DEFENDER TIME SHEET”, and I believe it was filed in General District Court on December 21, 2018. It said the total number of hours he spent out of court was 1 hour, and the

time “In Court” was only 20 minutes. A very short Trial in the General District Court. He didn’t really spend a lot of time in the case according to his filed “PUBLIC DEFENDER TIME SHEET” in the General District Court. Scott Albrecht was a terrible lawyer and I had wondered why he was.

9. I am not sure if Scott Albrecht ever filed a notice of appeal, as I tried to get it mailed off my pro se notice of appeal the same day I was found guilty, that I had asked him to do verbally. In fact, the record of the General District Court shown that I had initiated a pro se written notice of appeal in the General District Court which would have brought the case to the Circuit Court, this very case itself, it was me who pushed a pro se written notice of appeal to the Circuit Court and then there was another notice of appeal form with the signature of Scott Albrecht who was supposed to do what I had asked him to do and appeal the decision. It seemed like me trying to file the appeal pro se caused him to have his signature in a form notice of appeal document as I see from the record. This attorney seemed sketchy to me, I didn’t 100% trust him and my trust meter started lowering after I had to file a written notice of appeal. Scott Albrecht told me I was innocent and did nothing illegal but I was found guilty by the judge, why??? I do believe he was right but he didn’t handle the case the right way and that made me skeptical about my own lawyer.

10. I will admit he did a great job getting me released on bond/bail conditions which I complied with to the letter. I will admit he did push for three court orders in my criminal case for discovery. However, he was deficit in any push for sanctions or enforcement. He never pushed to compel compliance with those court orders, even though he is supposed to be an officer of the court at those times. Albrecht never pushed for sanctions for destruction of evidence, and Matthew Scott Thomas Clark never pushed for sanctions for destruction of evidence. Albrecht never pushed for any inquiring into non-compliance with the very court orders he pushed for. He didn't do his duty as an officer of the Court, he pushed for court orders but when they were not being complied with because of no body-camera footage being turned over to defense counsel or I was never given any indication of ever receiving the body-camera footage or copy of the same.

11. Now it all makes sense. If the same Scott Albrecht who had represented me, if this is the same attorney who seems to be named as the Assistant Commonwealth's Attorney, then this makes me suspect collusion between the Commonwealth Attorney and defense attorney even more. When I had filed the Motion asking for relief over fraud on the court on January 26, 2023, I had suspicions that it was either Scott Albrecht had colluded with the Commonwealth Attorney over destruction of body-camera footage and not pushing for compliance with those very court orders he pushed for, either collusion or ineffective assistance

of counsel meaning my counsel did a terrible job as an attorney and was deficient. If this "Scott Albrecht" who is an Assistant Commonwealth Attorney to Glen Andrew Hall, Esq. the Commonwealth Attorney, if this is the same attorney who had represented me in the General District Court, then it all makes sense to me why I was found guilty as charged. The Trial was rigged in my opinion to have me found guilty with a rigged defense attorney; this can be proven now with all of the deficiencies of Scott Albrecht. If this is the same Scott Albrecht, then I have no choice but to inform the Circuit Court that my Trial in the General District Court, I feel it was rigged against me. When my own court appointed lawyer who did a terrible job defending me, I am found guilty, no enforcement of court orders not complied with by Glen Andrew Hall that he pushed for as my defense attorney, no asking for sanctions for noncompliance with those court orders, and then a "Scott Albrecht" works for the very same prosecuting attorney who prosecuted me at the Trial in the General District Court on December 21, 2018, with Scott Albrecht as my defense attorney.

12. I have a right to feel suspicious. Seeing the same name "Scott Albrecht" working for the other side in my case, working for Glen Andrew Hall aka Andy Hall the Commonwealth Attorney who is the prosecuting attorney for my case in General District Court and in the Circuit Court.

13. My suspicions are warranted here. The argument is this to the best of my opinion and belief under penalty of perjury. If my lawyer did such a terrible job as the Trial attorney in the General District Court, meaning he is not a very good lawyer, then why is he hired by the Commonwealth Attorney and paid by the Commonwealth Attorney or whatever as that name is clearly shown in the Staff Directory for the City of Martinsville??? I don't know when he was hired and why he was hired, and don't know if it is the same Scott Albrecht but the odds are very remote that it could be a different attorney named Scott Albrecht. The possibility that it may be a different Scott Albrecht who happens to be an attorney, working in Martinsville or for the Commonwealth Attorney in Martinsville. If he was such a poor lawyer who did a poor job at my case, then why was he named as an Assistant Commonwealth's Attorney??? That would make him a traitor. This is unethical, this is unprofessional, this is a conflict of interest if it wasn't already. That makes me suspicious that I felt that he definitely took part in defrauding the court as claims I had brought up in my filed Motion on January 26, 2023.

14. I feel that it is warranted for the Honorable Circuit Court to conduct an inquiry of Glen Andrew Hall, Esquire about his: "Assistant Commonwealth's Attorney" named "Scott Albrecht". This is definitely a conflict of interest in my opinion. Glen Andy Hall needs to file a letter with the Court stating under penalty of perjury that Scott Albrecht needs to recuse himself from the prosecution team

regarding this criminal case. That would be ethical to me. Scott Albrecht needs to recuse himself if it is the very same Scott Albrecht. I am concerned here, extremely concerned.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on February 13, 2023.

Brian D. Hill
Signed
Brian D. Hill

Brian D. Hill
Defendant
Former news reporter of U.S.W.G.O. Alternative News
Ally of Q
310 Forest Street, Apartment 2
Martinsville, Virginia 24112
(276) 790-3505
JusticeForUSWGO.NL or JusticeForUSWGO.wordpress.com

CERTIFICATE OF SERVICE, CERTIFICATE OF FILING

I hereby certify that a true and accurate copy of the foregoing Motion was emailed/transmitted by my Assistant Roberta Hill at rbhill67@comcast.net (due to Probation Conditions of not being allowed to use the Internet) to have delivered this

(1) pleading and attachment of 2-page printout on the 13th day of February, 2023, to the following parties:

1. Commonwealth of Virginia

2. City of Martinsville

Again, by having representative Roberta Hill filing this pleading and attachment of 2-page printout on his behalf, filing with the Court, through email address rbhill67@comcast.net, transmit a copy of this pleading to the following attorneys who represent the above parties to the case:

Glen Andrew Hall, Esq. Commonwealth Attorney's Office for the City of Martinsville 55 West Church Street P.O. Box 1311 Martinsville, Virginia 24114/24112 Attorney for the Commonwealth Phone: (276) 403-5470 Fax: (276) 403-5478 Email: ahall@ci.martinsville.va.us	Hon. Jean P. Nunn, Clerk of the Court Circuit Court for the City of Martinsville Phone: 276-403-5106 Fax: 276-403-5232 55 West Church Street, Room 205 P.O. Box 1206 Martinsville, VA 24114 Email: jnunn@ci.martinsville.va.us

The reason why Brian David Hill must use such a representative to serve such pleading with the Clerk on his behalf is because Brian is currently still under the conditions of Supervised Release for the U.S. District Court barring internet usage without permission. Brian's Probation Officer is aware of Roberta Hill using her email for conducting court business concerning Brian Hill or court business with the Probation Office in regards to Brian David Hill. Therefore, Roberta Hill is filing the pleading on Brian's behalf for official court business. Brian has authorized her to file the pleading.

All exhibits or any exhibits with anything printed from any internet-based service was printed and researched by Roberta Hill.

That should satisfy the Certificate of Service regarding letters/pleadings during the ongoing Covid-19 pandemic. If the Court wishes to contact the filer over any issues or concerns, please feel free to contact the filer Brian David Hill directly by telephone or by mailing. They can also contact c / o Roberta Hill at rbhill67@comcast.net and request that she forward the message and any documents or attachments to Brian David Hill to view offline for his review.

Brian D. Hill
Signed

Brian D. Hill
Signed

Brian D. Hill

Brian D. Hill
Defendant
Former news reporter of U.S.W.G.O. Alternative News
Ally of Q
310 Forest Street, Apartment 2
Martinsville, Virginia 24112
(276) 790-3505
JusticeForUSWGO.NL or JusticeForUSWGO.wordpress.com

See the two-page attachment to this pleading:

Filename: Staff Directory • Martinsville, VA • CivicEngage.pdf

Commonwealth's Attorney

Directions

Physical Address: View Map
55 W Church Street
Martinsville, VA 24112

Mailing Address:
P.O. Box 1311
Martinsville, VA 24112

Phone:
276-403-5470

Fax:
276-403-5478

Link: Commonwealth's Attorney's Office Page

Staff

Name	Title
Albrecht, Scott	Assistant Commonwealth's Attorney
Finn, Patrick	Assistant Commonwealth's Attorney
Hall, G. Andrew	Commonwealth's Attorney
Herrero, Alberto Z.	Deputy Commonwealth's Attorney
Russell, Emily	Assistant Commonwealth's Attorney

Victim Witness Program

Directions

Physical Address: View Map
55 W Church Street
Room 14
Martinsville, VA 24112

Mailing Address:
P.O. Box 1063
Martinsville, VA 24112

4113

Phone:
276-403-5467 or 276-403-5469

Fax:
276-403-5468

Link: Victim Witness Program Page

Staff

Name	Title	Email
Laine, Joyce	Victim/Witness Program Assistant Director	Email Joyce Laine
Spangler, Vicky	Victim / Witness Program Director	Email Vicky Spangler

Return to Staff Directory

Government Websites by CivicPlus®

ADDENDUM

MARTINSVILLE CIRCUIT Case No.:CR19000009-00

Commonwealth of VA vs. HILL, BRIAN DAVID

TABLE OF CONTENTS

Document Index	Date Filed	Page
Manuscripts:		
GD PAPERWORK	01/09/2019	1 - 59
CCRE (number only)	01/09/2019	60 - 60
(SEALED) EVALUATION REPORT - PSYCHOLOGICAL EVAL-GDC	01/09/2019	61 - 67
MOTION - TO ADMIT EVIDENCE	01/23/2019	68 - 72
RESPONSE - MOT FOR RECIPROCAL DISCOVE	02/06/2019	73 - 75
ORDER - DISCOVERY	02/06/2019	76 - 78
MOTION - FILE EVIDENCE BEFORE TRIAL	04/08/2019	79 - 93
MOTION - EARLIER TRIAL DATE	05/29/2019	94 - 98
MOTION - MOTION FOR BOND	05/31/2019	99 - 102
BOND	06/04/2019	103 - 105
OTHER - RELEASE ORDER	06/04/2019	106 - 106
ORDER - AGREED ORDER FOR BOND	06/04/2019	107 - 108
OTHER - CONT CUST-07/15/19@9AM	06/04/2019	109 - 109
SCHEDULING ORDER - CA OF REQ JURY-SET 8/31@9A	07/15/2019	110 - 110
NOTICE - TO APPEAR 08/30/19@9AM	07/15/2019	111 - 111
ORDER - DISCOVERY	07/15/2019	112 - 114
WITNESS LIST - COMMONWEALTH WITNESS LIST	07/18/2019	115 - 115
MOTION - INSANITY DEF-FILED BY DEF	07/19/2019	116 - 126
MOTION - REQ SUB COUNSEL-FILED BY D	07/19/2019	127 - 135
MOTION - DISCOVERY	07/26/2019	136 - 158
MOTION - MOT TO SUPPRESS EVIDENCE	07/26/2019	159 - 211
MOTION - PUB. DEFENDER WITHDRAW	07/29/2019	212 - 214
ORDER - ATTY L.MCGARRY WITHDRAWN	07/30/2019	215 - 216
ORDER - APPOINTED ATTY MATT CLARK	08/01/2019	217 - 217
NOTICE - PRIOR CONVICTIONS	08/06/2019	218 - 224
MOTION - CONTINUE 8-30-19	08/19/2019	225 - 226
CONTINUANCE ORDER - CD-TBS ON 8/27	08/20/2019	227 - 228
NOTICE - APPEAR 08/27/19@9AM	08/21/2019	229 - 229
CONTINUANCE ORDER - SET 12-2-19 @ 9AM	08/27/2019	230 - 230
NOTICE - APPEAR 12-2-19 @ 9AM	08/27/2019	231 - 231
BOND ORDER - AMENDED BOND ORDER	09/11/2019	232 - 233
MOTION - FAX MOT TO DISMISS	11/04/2019	234 - 252
MOTION - FAX TO WITHDRAW APPEAL	11/12/2019	253 - 264

ORDER IN MISDEMEANOR OR TRAFFIC INFRACTION PROCEEDING	11/15/2019	265 - 265
PAYMENT AGREEMENT PLAN	11/15/2019	266 - 267
OTHER - COPY DISPOSITION NOTICE	11/15/2019	268 - 268
MOTION - VACATE FRAUD BEGOTTEN JUDG	11/25/2019	269 - 295
ORDER - VACATE FRAUD JUDG-DENIED	11/25/2019	296 - 296
APPEAL NOTICE - NOTICE OF APPEAL	11/27/2019	297 - 299
APPEAL NOTICE - NOTICE OF APPEAL	11/27/2019	300 - 302
LETTER - FROM DEFENDANT TO CLERK	02/26/2020	303 - 310
LETTER - RESPONSE-CLERK SUPREME CT	03/06/2020	311 - 338
LETTER - PSYCHOLOGICAL EVALUATION	03/09/2020	339 - 354
MOTION - TO PROCEED PRO SE ON APPLS	03/16/2020	355 - 356
MOTION - WAIVING LEGAL FEES	03/16/2020	357 - 391
AFFIDAVIT - AFF/DECLAR. BRIAN HILL	03/25/2020	392 - 402
AFFIDAVIT - AFF/DECLAR. ROBERTA HILL	03/25/2020	403 - 406
LETTER - LETTER TO CLERK	03/25/2020	407 - 415
LETTER - FROM DEF W/ATTACHMENTS	03/25/2020	416 - 439
NOTICE - NOTICE OF LAWSUIT	03/26/2020	440 - 465
LETTER - FROM CLERK TO DEFENDANT	03/26/2020	466 - 466
LETTER - LETTER TO CLERK	03/30/2020	467 - 479
MOTION - TO DISCHARGE LEGAL FEES	03/31/2020	480 - 513
WRIT OF MANDAMUS	04/02/2020	514 - 544
OTHER - APLC PROCEED IN FP-US DIST	04/02/2020	545 - 549
ORDER - DENIED MOT-DISCHARGE F/C	04/02/2020	550 - 550
APPEAL NOTICE - MCC/US DIST COURT	04/07/2020	551 - 566
MOTION - TO DISQUALIFY GCG	04/08/2020	567 - 579
CORRESPONDENCE	04/08/2020	580 - 769
ORDER - DENIED DEF WRIT ERROR CV	04/10/2020	770 - 770
ORDER - DENIED MOT WAIVE FEES	04/10/2020	771 - 771
ORDER - DENIED MOT DISQUALIFY GCG	04/10/2020	772 - 772
LETTER - FROM DEF TO CLERK-SERVICE	04/14/2020	773 - 776
APPEAL NOTICE - RE: MOT TO DISQUALIFY	04/15/2020	777 - 785
COURT OF APPEALS OF VA ORDERS - APPOINT J I JONES-COUNSEL	04/20/2020	786 - 787
COURT OF APPEALS OF VA ORDERS - APPOINT J I JONES-COUNSEL	04/20/2020	788 - 789
APPEAL NOTICE	04/21/2020	790 - 794
LETTER - DEF TO CLK-NOT RECV COPY O	04/23/2020	795 - 796
COURT OF APPEALS OF VA ORDERS - GRANTED LEAVE REPLACE N/A	10/28/2020	797 - 797
NOTICE - OF FRAUD UPON THE CT-DEF	11/04/2020	798 - 829
NOTICE - OF FRAUD UPON THE CT-DEF	11/05/2020	830 - 861

NOTICE - 2ND OF FRAUD UPON THE CT	11/09/2020	862 - 910
APPEAL NOTICE - OF APPEAL (2)	11/12/2020	911 - 915
NOTICE - 2ND OF FRAUD UPON THE CT	11/12/2020	916 - 963
AFFIDAVIT - AFFIDAVIT OF SERVICE	11/13/2020	964 - 970
AFFIDAVIT - AFFIDAVIT OF SERVICE	11/13/2020	971 - 977
LETTER - AS TO DOC NOTICE OF FRAUD	11/16/2020	978 - 983
APPOINTMENT OF COUNSEL - PER CT APPEALS-JJONES	12/14/2020	984 - 984
COURT OF APPEALS OF VA ORDERS - DENIED PETITION FOR APPEAL	01/11/2021	985 - 987
OTHER - REQUEST FOR TRANSCRIPTS	03/22/2021	988 - 997
LETTER - TO BDH-RECORDS SENT TO C/A	03/22/2021	998 - 998
MOTION - EVIDENCE	01/20/2022	999 - 1207
MEMORANDUM - EVIDENCE IN SUPPORT OF MOT	01/21/2022	1208 - 1227
MEMORANDUM - AMENDED MEMORANDUM	01/24/2022	1228 - 1279
MEMORANDUM - LAST MINUTE EVIDENCE	01/31/2022	1280 - 1341
MEMORANDUM - NEW MEDICAL EVIDENCE	02/08/2022	1342 - 1504
LETTER - LETTER TO CLERK	02/09/2022	1505 - 1519
ORDER - PETITION DENIED	02/10/2022	1520 - 1520
APPEAL NOTICE - NOTICE OF APPEAL	02/11/2022	1521 - 1524
AMENDMENT - AMENDED EVIDENCE	02/14/2022	1525 - 1576
LETTER - LETTER TO JUDGE GCG	02/14/2022	1577 - 1578
OTHER - LAST MINUTE EVIDENCE	02/14/2022	1579 - 1640
MOTION - FOR JUDGMENT OF ACQUITTAL	02/14/2022	1641 - 1849
MOTION - JUDGMENT OF ACQUITTAL CORR	02/14/2022	1850 - 2058
OTHER - NEW MEDICAL EVIDENCE	02/17/2022	2059 - 2221
LETTER - B. HILL TO CLERK FAX	02/22/2022	2222 - 2228
LETTER - B. HILL TO CLERK EMAIL	02/22/2022	2229 - 2235
ORDER - DENY MOTION	02/22/2022	2236 - 2236
APPEAL NOTICE - APPEAL-CAV 02222022 1ST	02/23/2022	2237 - 2243
APPEAL NOTICE - APPEAL-CAV 02222022 2ND	02/23/2022	2244 - 2250
APPEAL NOTICE - FAX-NOT OF APPEAL-2/10/22	02/23/2022	2251 - 2258
APPEAL NOTICE - FAX-NOT OF APPEAL-2/22/22	02/23/2022	2259 - 2265
LETTER - TO CT OF APPEALS-ENTIRE FL	05/25/2022	2266 - 2266
OTHER - APPL FED WRIT HAB CORPUS	06/21/2022	2267 - 2282
OTHER - ADDITIONAL GROUNDS	06/21/2022	2283 - 2302
LETTER - LETTER TO JUDGE 6.18.22	06/21/2022	2303 - 2333
MOTION - PROCEED WOUT PYMT OF FEES	06/21/2022	2334 - 2335
LETTER - LTR EDITED 6.21.2022	06/22/2022	2336 - 2344
MOTION - REQ CA RESPOND-M/J W/EMAIL	08/29/2022	2345 - 2353
OTHER - EMAIL-RECORD SUBMITTED	08/31/2022	2354 - 2354
MOTION - JUDGMT OR ACQUITTAL OR TRL	08/31/2022	2355 - 2748

OTHER - LITIGATION HOLD LETTER	08/31/2022	2749 - 2760
MOTION - REQUEST CA RESPOND TO MJ	09/06/2022	2761 - 2766
MOTION - MJ NEW EVID J CASSELL	09/06/2022	2767 - 3490
FINAL ORDER - DENY MOTION LACK JURISDICT	09/07/2022	3491 - 3491
ORDER - DEN MOT COMM RESPOND M/J	09/13/2022	3492 - 3493
LETTER - FROM DEF TO COURT	09/13/2022	3494 - 3495
AFFIDAVIT - INDIGENCE	09/19/2022	3496 - 3497
NOTICE - APPEAL (1)	09/19/2022	3498 - 3518
AFFIDAVIT - INDIGENCE	09/19/2022	3519 - 3520
NOTICE - APPEAL (2)	09/19/2022	3521 - 3545
LETTER - COURT OF APPEALS-TRANS REC	11/30/2022	3546 - 3546
MOTION - MOTION CIRCUIT CT 1-26-23	01/26/2023	3547 - 3653
OTHER - EVIDENCE EXHIBIT 1/26/2023	01/26/2023	3654 - 3990
OTHER - EVID DECLARATION 1/26/2023	01/26/2023	3991 - 4012
LETTER - LETTER-CLERK-M_VA 1-27-23	01/27/2023	4013 - 4015
MOTION - MOTIONRECORDS-FEB 3, 23 2N	02/03/2023	4016 - 4039
LETTER - LETTER-CLERK-M_VA-2-3-2023	02/06/2023	4040 - 4041
MOTION - MOTIONRECORDS-FEB 3, 2023	02/06/2023	4042 - 4065
LETTER - LETTER-CLERK-M_VA-2-3-2023	02/06/2023	4066 - 4067
REQUEST - FOIA-ADDENDUM 2-12-23	02/13/2023	4068 - 4075
OTHER - DECLARATION-SUPPORT-FOIA	02/13/2023	4076 - 4084
OTHER - COURT-ORDERS-FOIA	02/13/2023	4085 - 4092
OTHER - EMAIL-FWD:STATUS OF FOIA	02/13/2023	4093 - 4096
ANSWER - BRIAN HILL-FOIA REQUEST	02/13/2023	4097 - 4099
OTHER - EMAI-RE: STATUS OF FOIA	02/13/2023	4100 - 4103

I, Jean P. Nunn, Clerk of the Martinsville Circuit, certify that the contents of the record listed in the table of contents constitute the true and complete record, except for exhibits whose omission are noted in the table of contents, and are hereby transmitted to the Court of Appeals on February 14, 2023.

Digital Appellate Record System (DARS) Record Submitted

Your record was submitted to be processed on: 02/14/2023 13:28:55

Court	Case Number	Description	Destination	Email
Martinsville Circuit	CR19000009-00	Commonwealth of VA vs. HILL, BRIAN DAVID	CAV	tmorton@ci.martinsville.va.us jnunn@ci.martinsville.va.us

Your record has been submitted for digital processing. Once processed, you will receive an email confirming the record has been succesfully submitted to the Digital Record System (DRS) for the Court of Appeals of Virginia (CAV).

VIRGINIA: IN THE CIRCUIT COURT FOR THE CITY OF MARTINSVILLE

COMMONWEALTH OF VIRGINIA

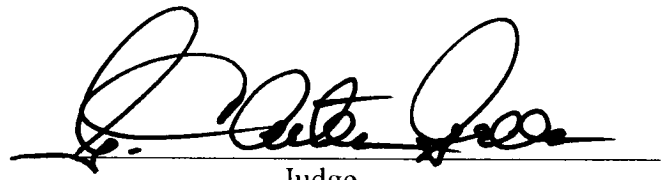
v.

ORDER
Case No. CR19000009-00

BRIAN DAVID HILL

UPON CONSIDERATION of the defendant's Motion for Set Aside or Relieve Defendant of Judgment of Conviction of Criminal Charge, it is ORDERED that said motion is hereby DENIED.

ENTER: This 14th day of February, 2023.



Judge

Endorsement is dispensed with – Rule 1:13

TWENTY-FIRST
JUDICIAL CIRCUIT
OF VIRGINIA

Jeanie Nunn

From: ROBERTA HILL <rbhill67@comcast.net>
Sent: Tuesday, February 14, 2023 11:28 PM
To: Jeanie Nunn
Cc: Ken & Stella Forinash; kenstella2005@comcast.net
Subject: Re: Martinsville Circuit Court, Status Letter regarding recent FOIA response from Police Chief and Short Summary, no. CR19000009-00, Commonwealth of Virginia et al v. Brian David Hill

Importance: High

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Do not click links or open attachments unless you recognize the sender and know the content is safe.

Does the Court have the Short Summary and the Status letter to Judge Greer?

Does Judge Greer have receipt?

Thank you,
Roberta

On 2/14/2023 1:36 AM, ROBERTA HILL wrote:

> Clerk of Circuit Court for the City of Martinsville;
> CC: Glen Andrew Hall, Esquire.;
> CC: Judge Greer,
>
> I am Roberta Hill, Brian's mother. I am filing this Status Letter regarding recent FOIA response from Police Chief by and through Kendall Davis the Public Information Officer, dated February 14, 2023 and Short Summary. It is all being filed through email to you on Brian's behalf due to his federal probation conditions where he is not allowed to use the internet. He is having me file this pleading on his behalf. My son is having me to serve the respondents through email as well. This email to the Clerk with the Respondents in the email message headers prove to the Clerk that I had served the Respondents a copy of these pleadings, and may also be faxed as well by Brian D. Hill in the event that email fails
>
> My son wanted me to add a note to this filing to explain briefly what they are about: to Judge Greer and Glen A. Hall that he had proven Element 2 of his Statement of the facts and also proved fraud on the court because of the Feb. 10th letter with the statements from Rob Fincher, police chief. His claims had been proven with this letter from Kendall Davis.
>
> Filings are attached:
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To Clerk: Please confirm by read receipt or response message confirming that you have received this. Thank You!

Roberta Hill (representative for electronic filing)
310 Forest Street, Apartment 1
Martinsville, Virginia 24112

Status Letter regarding recent FOIA response from Police Chief and Short Summary, case no. CR19000009-00, Circuit Court for the City of Martinsville
Commonwealth of Virginia, City of Martinsville v. Brian David Hill

Defendant:
Brian David Hill
310 Forest Street, Apartment 2
Martinsville, Virginia 24112

Thanks,
Roberta

Jeanie Nunn

From:	Roberta Hill <rbhill67@justiceforuswgo.nl>
Sent:	Wednesday, February 15, 2023 12:50 PM
To:	Jeanie Nunn; Andy Hall; Nancy Sherman; OAG Criminal Litigation (oagcriminallitigation@oag.state.va.us); Coen, Chris; ER Hamilton; Judge Greer
Cc:	Ken & Stella Forinash; kenstella2005@comcast.net; stanleybolten@justiceforuswgo.nl
Subject:	Fwd: Martinsville Circuit Court, Status Letter regarding recent FOIA response from Police Chief and Short Summary, no. CR19000009-00, Commonwealth of Virginia et al v. Brian David Hill
Attachments:	StatusLetter-Judge2-14-2023.pdf; ShortSummary-2-14-2023.pdf
Importance:	High

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My xFinity is being hacked right now with any drafts being deleted when I tried to forward the other email which was emailed yesterday, so I am sending through rbhill67@justiceforuswgo.nl. My xFinity email page kept refreshing and drafts of what I was going to email you kept disappearing. Emails are archived off of the internet, so I have a archive of what was attempted emailed to you. I am sending through a different provider which is not being hacked right now.

If you did receive the forwarded email yersterday, a hacker may have tried to erase that email. I am sending not through xFinity until this weird hacking issue is resolved. Maybe it could be a computer hacker why the body-camera footage was not marked as evidence. Whatever is going on, there is serious federal felonies being committed here to keep my son wrongfully convicted, and my son is the victim.

City Attorney Eric Monday tried to tell everybody about my son's prior criminal record. When Brian Hill was framed with child porn, his computer was hacked in July 2012, that was the reason why he has a prior conviction. My YouTube channel was hacked last month and lost all of my YouTube videos since 2009. It was TheStarChild2009. My mother was recently hacked too regarding FindAGrave. We are all getting targeted now by criminal hacking operations since proving my son was innocent of indecent exposure. Brian was never guilty of child porn and the hacker attacks have ramped up since my son received more evidence and filed the evidence. Brian is still plannong on filing evidence with the federal court he did not violate his supervised release in 2018, and the house of cards will come crashing down. Brian has the support of QAnons from afar. They are watching his case in the Supreme Court, so Brian has the total support of the Q/QAnon military. At some point Brian's federal criminal conviction will be overturned as well.

These articles prove that I was hacked and lost my YouTube channel, and my son was hacked in 2012; so his entire federal criminal charge was based on bogus pretenses. WRC EXCLUSIVE: Alternative Media Writer Brian D. Hill Setup On Child Pornography Possession: | We Are Change - https://wearechange.org/case-brian-d-hill/

Commonwealth Attorney Glen Hall knew nothing when he prosecuted my son that my son was innocent of his federal charge and was forced to plead guilty to get time served. His public defender knew nothing about computers and didn't understand that my son was hacked by a hacker. The public defender had us convinced that Brian was technically guilty of child porn because the attorney who spoke with Eric Placke told us that it doesn't matter if he had bought a used computer. This lawyer who was supposed to defend my son and instead he deleted emails or email attachments and told us that if we didn't convice my son to plead guilty to child porn, he would face 20 years in prison. Brian is innocent, and Glen A. Hall refused to accept that. Same situation with Matthew Clark coercing my son to withdraw appeal in the

Circuit Court and accepting the guilty verdict. It is the same junk, the same hacker attacks, all targeting us. Years ago we as Brian's family went to the FBI Office in Roanoke, Virginia, and they refused to open up any kind of criminal investigation into Brian being set up with child porn.

TheStarChild2009 had been hacked on YouTube, YouTube takes the side of the hackers who stole her account and punished Roberta (channel owner) for being hacked; 13 years worth of videos DELETED, 11,000 subscribers terminated; YouTube complicit in hacking crimes, INDICT YOUTUBE/DARPA.mil for being complicit in hacking – Justice for Brian D. Hill of USWGO Alternative News - https://justiceforuswgo.wordpress.com/2023/01/13/thestarchild2009-had-been-hacked-on-youtube-youtube-takes-the-side-of-the-hackers-who-stole-her-account-and-punished-roberta-channel-owner-for-being-hacked-13-years-worth-of-videos-deleted-11000/

https://justiceforuswgo.wordpress.com/2022/10/24/opinion-possibly-the-political-hackers-squad-framed-alex-jones-with-child-porn-to-destroy-and-deny-anti-slapp-motion-in-sandy-hook-lawsuit-evidence-they-framed-brian-d-hill-into-wrongful-crimin/ - OPINION: Possibly the "POLITICAL HACKERS SQUAD" framed Alex Jones with child porn to destroy and deny anti-SLAPP motion in Sandy Hook lawsuit, evidence they framed Brian D. Hill into wrongful criminal conviction, same group of proclaimed perpetrators – Justice for Brian D. Hill of USWGO Alternative News

-------- Forwarded Message --------
Subject: Martinsville Circuit Court, Status Letter regarding recent FOIA response from Police Chief and Short Summary, no. CR19000009-00, Commonwealth of Virginia et al v. Brian David Hill
Date: Tue, 14 Feb 2023 01:36:08 -0500 (EST)
From:ROBERTA HILL <rbhill67@comcast.net>
To: Hon. Jean P. Nunn, Clerk of the Court <jnunn@ci.martinsville.va.us>, Martinsville City Commonwealth's Attorney <ahall@ci.martinsville.va.us>, nsherman@ci.martinsville.va.us, OAG Criminal Litigation (oagcriminallitigation@oag.state.va.us) <oagcriminallitigation@oag.state.va.us>, Coen, Chris <ccoen@oag.state.va.us>, ehamilton@ci.martinsville.va.us, Judge Giles Carter Greer <cgreer@ci.martinsville.va.us>
CC: Ken & Stella Forinash <kenstella@comcast.net>, kenstella2005@comcast.net <kenstella2005@comcast.net>, stanleybolten@justiceforuswgo.nl <StanleyBolten@justiceforuswgo.nl>

Clerk of Circuit Court for the City of Martinsville;
CC: Glen Andrew Hall, Esquire.;
CC: Judge Greer,

I am Roberta Hill, Brian's mother. I am filing this Status Letter regarding recent FOIA response from Police Chief by and through Kendall Davis the Public Information Officer, dated February 14, 2023 and Short Summary. It is all being filed through email to you on Brian's behalf due to his federal probation conditions where he is not allowed to use the internet. He is having me file this pleading on his behalf. My son is having me to serve the respondents through email as well. This email to the Clerk with the Respondents in the email message headers prove to the Clerk that I had served the Respondents a copy of these pleadings, and may also be faxed as well by Brian D. Hill in the event that email fails

My son wanted me to add a note to this filing to explain briefly what they are about: to Judge Greer and Glen A. Hall that he had proven Element 2 of his Statement of the facts and also proved fraud on the court because of the Feb. 10th letter with the statements from Rob Fincher, police chief. His claims had been proven with this letter from Kendall Davis.

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Roberta Hill (representative for electronic filing)
310 Forest Street, Apartment 1
Martinsville, Virginia 24112

Status Letter regarding recent FOIA response from Police Chief and Short Summary, case no. CR19000009-00, Circuit Court for the City of Martinsville
Commonwealth of Virginia, City of Martinsville v. Brian David Hill

Defendant:
Brian David Hill
310 Forest Street, Apartment 2
Martinsville, Virginia 24112

Thanks,
Roberta

Jeanie Nunn

From: Roberta Hill <rbhill67@justiceforuswgo.nl>
Sent: Wednesday, February 15, 2023 2:09 PM
To: Jeanie Nunn
Cc: Ken & Stella Forinash; Kenstella2005
Subject: Re: Martinsville Circuit Court, Status Letter regarding recent FOIA response from Police Chief and Short Summary, no. CR19000009-00, Commonwealth of Virginia et al v. Brian David Hill

Importance: High

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Now that all of those filings are in, Brian will now focus on his appeals and filings for his appeals, and will focus with the Federal Court system, making sure they are updated.

Judge Greer has a lot of evidence to take into consideration. Now he is aware of the frauds on the Court. I also read over the FOIA letter and response my son wanted me to make sure they were filed, and I personally think that the bodycam footage would have hurt the prosecution's case.

Evidence is always destroyed by the prosecution in innocence cases by The Innocence Project when favorable to the criminal defendant. Evidence was also covered up in his federal case proving that child porn was downloading for 11 months after his computer was seized by Mayodan Police. That evidence was not known to my son until after he plead guilty. I, my mother and Brian's grandpa Kenneth Forinash, along with Brian all read through the discovery papers. So Brian plead guilty without knowing he could prove his laptop was hacked while it was at the State Bureau of Investigation facility in Greensboro, North Carolina. Supposed to be a secure law enforcement facility but his laptop kept downloading images while there. A total hack job, a total set up and frame up.

Now Judge Greer is aware of the evidence spoliation. It could have been a hacker who hacked into Martinsville Police Department. It could have been an inside job. Whatever the case may be, Judge Greer will probably be concerned about the deletion of evidence subject to his court order on February 9, 2019. Judge Greer's order had been ignored and disregarded in 2019.

If hackers did delete the bodycam footage from the server of the Police Department, then this is a federal crime and was with the intent of setting Brian up for indecent exposure. Whatever the case is on this, federal crimes were committed here. 18 U.S. Code § 1519 - Destruction, alteration, or falsification of records in Federal investigations and bankruptcy | U.S. Code | US Law | LII / Legal Information Institute
https://www.law.cornell.edu/uscode/text/18/1519

Judge Greer definitely has to take this seriously and there needs to be an investigation inside the Court, outside the Court, and an investigation by the new Police Chief of Martinsville. Brian had me file a letter with the Mayor of Martinsville asking for an investigation into G. E. Cassady and into federal crimes committed by people within his Department.

Anyways, Brian will focus on his appeals since the investigations will take a while, and Judge Greer has exculpatory evidence he was not aware of, evidence of Judge Greer being deceived and the General District Court being deceived in 2018. The Courts have been deceived through the entire criminal prosecution.

It is considered being deceived when evidence was ordered by the court but was silently destroyed. The courts were deceived. Brian explained to me about evidence destruction case law, spoliation cases. Those are fraud on the court cases.

Hopefully my son will get the justice he needs and deserves.

Best Regards,
Roberta Hill

On 2023-02-15 13:07, Jeanie Nunn wrote:

> Documents received and have been scanned into our system and will be forwarded.
>
> Thanks,
>
> *JEANIE*
>
> **JEAN P. NUNN,** Clerk of Court
>
> Martinsville Circuit Court Clerk's Office
>
> (276-403-5251)
>
> **From:** Roberta Hill <rbhill67@justiceforuswgo.nl>
> **Sent:** Wednesday, February 15, 2023 12:50 PM
> **To:** Jeanie Nunn <JNUNN@ci.martinsville.va.us>; Andy Hall <ahall@ci.martinsville.va.us>; Nancy Sherman <nsherman@ci.martinsville.va.us>; OAG Criminal Litigation (oagcriminallitigation@oag.state.va.us) <oagcriminallitigation@oag.state.va.us>; Coen, Chris <ccoen@oag.state.va.us>; ER Hamilton <EHAMILTON@ci.martinsville.va.us>; Judge Greer

<cgreer@ci.martinsville.va.us>
Cc: Ken & Stella Forinash <kenstella@comcast.net>; kenstella2005@comcast.net; stanleybolten@justiceforuswgo.nl
Subject: Fwd: Martinsville Circuit Court, Status Letter regarding recent FOIA response from Police Chief and Short Summary, no. CR19000009-00, Commonwealth of Virginia et al v. Brian David Hill
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Commonwealth Attorney Glen Hall knew nothing when he prosecuted my son that my son was innocent of his federal charge and was forced to plead guilty to get time served. His public defender knew nothing about computers and didn't understand that my son was hacked by a hacker. The public defender had us convinced that Brian was technically guilty of child porn because the attorney who spoke with Eric Placke told us that it doesn't matter if he had bought a used computer. This lawyer who was supposed to defend my son and instead he deleted emails or email attachments and told us that if we didn't convice my son to plead guilty to child porn, he would face 20 years in prison. Brian is innocent, and Glen A. Hall refused to accept that. Same situation with Matthew Clark coercing my son to withdraw appeal in the Circuit Court

and accepting the guilty verdict. It is the same junk, the same hacker attacks, all targeting us. Years ago we as Brian's family went to the FBI Office in Roanoke, Virginia, and they refused to open up any kind of criminal investigation into Brian being set up with child porn.

TheStarChild2009 had been hacked on YouTube, YouTube takes the side of the hackers who stole her account and punished Roberta (channel owner) for being hacked; 13 years worth of videos DELETED, 11,000 subscribers terminated; YouTube complicit in hacking crimes, INDICT YOUTUBE/DARPA.mil for being complicit in hacking - Justice for Brian D. Hill of USWGO Alternative News - https://justiceforuswgo.wordpress.com/2023/01/13/thestarchild2009-had-been-hacked-on-youtube-youtube-takes-the-side-of-the-hackers-who-stole-her-account-and-punished-roberta-channel-owner-for-being-hacked-13-years-worth-of-videos-deleted-11000/

https://justiceforuswgo.wordpress.com/2022/10/24/opinion-possibly-the-political-hackers-squad-framed-alex-jones-with-child-porn-to-destroy-and-deny-anti-slapp-motion-in-sandy-hook-lawsuit-evidence-they-framed-brian-d-hill-into-wrongful-crimin/ - OPINION: Possibly the "POLITICAL HACKERS SQUAD" framed Alex Jones with child porn to destroy and deny anti-SLAPP motion in Sandy Hook lawsuit, evidence they framed Brian D. Hill into wrongful criminal conviction, same group of proclaimed perpetrators - Justice for Brian D. Hill of USWGO Alternative News

-------- Forwarded Message --------

Subject: Martinsville Circuit Court, Status Letter regarding recent FOIA response from Police Chief and Short Summary, no. CR19000009-00, Commonwealth of Virginia et al v. Brian David Hill
Date: Tue, 14 Feb 2023 01:36:08 -0500 (EST)
From: ROBERTA HILL <rbhill67@comcast.net>
To: Hon. Jean P. Nunn, Clerk of the Court <jnunn@ci.martinsville.va.us>, Martinsville City Commonwealth's Attorney <ahall@ci.martinsville.va.us>, nsherman@ci.martinsville.va.us, OAG Criminal Litigation (oagcriminallitigation@oag.state.va.us) <oagcriminallitigation@oag.state.va.us>, Coen, Chris <ccoen@oag.state.va.us>, ehamilton@ci.martinsville.va.us, Judge Giles Carter Greer <cgreer@ci.martinsville.va.us>
CC: Ken & Stella Forinash <kenstella@comcast.net>, kenstella2005@comcast.net <kenstella2005@comcast.net>, stanleybolten@justiceforuswgo.nl <StanleyBolten@justiceforuswgo.nl>

Clerk of Circuit Court for the City of Martinsville;
CC: Glen Andrew Hall, Esquire.;

CC: Judge Greer,

I am Roberta Hill, Brian's mother. I am filing this Status Letter regarding recent FOIA response from Police Chief by and through Kendall Davis the Public Information Officer, dated February 14, 2023 and Short Summary. It is all being filed through email to you on Brian's behalf due to his federal probation conditions where he is not allowed to use the internet. He is having me file this pleading on his behalf. My son is having me to serve the respondents through email as well. This email to the Clerk with the Respondents in the email message headers prove to the Clerk that I had served the

Respondents a copy of these pleadings, and may also be faxed as well by Brian D. Hill in the event that email fails

My son wanted me to add a note to this filing to explain briefly what they are about: to Judge Greer and Glen A. Hall that he had proven Element 2 of his Statement of the facts and also proved fraud on the court because of the Feb. 10th letter with the statements from Rob Fincher, police chief. His claims had been proven with this letter from Kendall Davis.

Filings are attached:

1. StatusLetter-Judge2-14-2023.pdf: - STATUS LETTER TO HONORABLE GILES CARTER GREER (JUDGE); CLERK OF MARTINSVILLE CIRCUIT COURT; Tuesday, February 14, 2023.

2. ShortSummary-2-14-2023.pdf: SHORT SUMMARY OF WHAT WAS PROVEN AS TO FRAUD ON THE COURT; Prepared by Stella Forinash, edited and modified by Brian David Hill; Case no. CR19000009-00, For Martinsville Circuit Court; Date: February 14, 2023

To Clerk: Please confirm by read receipt or response message confirming that you have received this. Thank You!

Roberta Hill (representative for electronic filing)
310 Forest Street, Apartment 1
Martinsville, Virginia 24112

Status Letter regarding recent FOIA response from Police Chief and Short Summary, case no. CR19000009-00, Circuit Court for the City of Martinsville

Commonwealth of Virginia, City of Martinsville v. Brian David Hill

Defendant:
Brian David Hill
310 Forest Street, Apartment 2
Martinsville, Virginia 24112

Thanks,
Roberta

Received On 2/15/2023 By User: jnunn Circuit Court Clerk's Office Martinsville, VA Jean P. Nunn, Clerk

STATUS LETTER TO HONORABLE GILES CARTER GREER (JUDGE); CLERK OF MARTINSVILLE CIRCUIT COURT

Tuesday, February 14, 2023

ATTN: Hon. Giles Carter Greer Presiding Judge Martinsville Circuit Court 55 W. Church Street Martinsville, VA 24114-1206 Phone: (276) 403-5106 Fax: (276) 403-5232 Email: cgreer@ci.martinsville.va.us	ATTN: Hon. Jean P. Nunn Clerk of the Court Martinsville Circuit Court 55 W. Church Street Martinsville, VA 24114-1206 Phone: (276) 403-5106 Fax: (276) 403-5232 Email: jnunn@ci.martinsville.va.us

CC: Glen Andrew Hall, Esq. At ahall@ci.martinsville.va.us (City of Martinsville, Commonwealth of Virginia, Commonwealth's Attorney);

Hon. Giles Carter Greer (Judge) and Hon. Jeanie P. Nunn (Clerk),

I apologize for the amount of filings I been asking Roberta Hill to send to the Circuit Court electronically to file for me, but evidence is evidence, there is a lot of prima facie evidence to satisfy my burden of proof for proving fraud on the court which is believed to have been perpetuated on this Court's judicial machinery by Glen Andrew Hall, and I now have my final response to my FOIA Request since February 13, 2023. I will not need to file any FOIA lawsuit and have no need to ask any more FOIA questions at this time. I received the answers I need from a credible person from Martinsville Police Department, the Police Chief, and the evidence proves **Element 2** within the **Statement of the Facts** in support of my Motion on January 26, 2023.

The Clerk should also be in receipt of a pdf file named: **Brian Hill FOIA Request.pdf**, attached to an email from Kendall Davis, Public Information Officer, City of Martinsville, kdavis@ci.martinsville.va.us, (O)276-403-5379, (M)276-734-0164. This Court can contact him at any time or even the Police Chief for any further inquiry from this Honorable Circuit Court. Roberta

Hill forwarded that exact email with the attachment. Hopefully the Clerk is well in receipt of this pdf file and filed it in the record of the Circuit Court/Trial Court. Before I go any further in this letter.

At this point I have no more of a need to make any more filings until the Circuit Court makes a decision or orders me to appear before an Evidentiary Hearing or Inquiry Hearing or any hearing over the matters on my Motion for relief from judgment or setting aside judgment; the Motion which was filed on January 26, 2023.

I am sure you have already been emailed by Roberta Hill about a 3-page response to my FOIA Request dated January 20, 2023. The same FOIA Request letter filed as **Exhibit 12** in support of my Motion. See **EXHIBIT PAGE 202-209 OF 337**, **EXHIBIT 12**, URGENT LETTER TO MARTINSVILLE POLICE DEPARTMENT AND CITY OF MARTINSVILLE – FOIA REQUEST and Fax Transmission Tickets).

I have reviewed over the response letter and have taken the time to review over it. I asked Roberta Hill to forward the emails to both the Clerk and to yourself your Honor, the Honorable Judge Greer. I wanted to make sure you have the source email and the answer document. That is the answer by the current Police Chief of the Martinsville Police Department.

This answer document from the Chief of Police Rob Fincher proves that the Commonwealth Attorney Glen Andrew Hall and Attorney Scott Albrecht are both AT FAULT for unlawful destruction of the body-camera footage recorded by Officer Robert Jones of Martinsville Police Department, recorded on September 21, 2018.

The Police Chief said from what it sounded like in his response that they were supposed to be served with the legal documents of the lawsuit or be made aware of the lawsuit civil litigation or criminal litigation and that the body-camera footage is tied to that litigation as “evidence”, and was supposed to be marked as evidence so that it would not be deleted/spoliated indefinitely. It sounds to me like even though Robert Jones had filed the CRIMINAL COMPLAINT and ARREST WARRANT on September 21, 2018,

the Commonwealth Attorney did not designate the body-camera footage as evidence and there was no push to preserve tat evidence either, despite the Court Orders which the body-camera is within the scope of those court orders. Two Court Orders were filed in the Martinsville judicial systems, before the deletion of the video file of the body-camera footage. It was not designated as evidence despite multiple letters being mailed to the former Police Chief G. E. Cassady. I am attaching what I found in my evidence box, I am attaching a photocopy of a "return receipt" and "certified mail receipt" and a photocopy of the typed letter mailed to Martinsville Police Department, to G. E. Cassady asking for the body-camera footage. See **EXHIBIT PAGE 240-242 OF 337**, **EXHIBIT 15**.

See attachment to this letter thereafter: **Photocopy of return receipt and certified mail receipt.pdf**: 6 pages (six pages) of evidence documentation. First 2 pages are photocopy of signed return receipt (front and back) and certified mail receipt. Next two pages is the typed letter, a true photocopy of the mailed letter, same as what was filed earlier in the Circuit Court record and in **EXHIBIT PAGE 240-242 OF 337**, **EXHIBIT 15**. Then the next page is the scanned photocopy of the envelope Stella and Kenneth Forinash had used for the mailing with that letter. The last page is my originally written letter from FCI-1 Butner, North Carolina to Police Chief G. E. Cassady, dated January 19, 2019, but it does say "For Jason McMurray". That printed photocopy must have been a photocopy where I hand written on that photocopy who it was for. So I had tried to mail a copy to USPO Jason McMurray. So he was aware of my letter to G. E. Cassady too, I assume.

Anyways if you review over the filed: **"Brian Hill FOIA Request.pdf"** dated February 10, 2023, and was filed with the Clerk yesterday, on February 13, 2023, also a copy was emailed to yourself, the Honorable Judge Greer. When you review over what was said, it does prove the substance of my filed: "MOTION FOR SET ASIDE OR RELIEVE DEFENDANT OF JUDGMENT OF CONVICTION OF CRIMINAL CHARGE PURSUANT TO VIRGINIA CODE § 8.01-428(D), VIRGINIA CODE § 8.01-428(A) AND VIRGINIA CODE § 8.01-428(B) ON THE BASIS OF FRAUD UPON THE COURT, CLERICAL FACTUAL ERRORS".

I shall copy and paste some of what was said in that letter:

See Page 2 of 3 of response letter from Police Chief:

#3 In the records logs, I see that two videos, one body camera and one in-car camera, that were labeled David Hill from that date were removed (deleted) by the DVMS system on 4/9/2019. Neither video was indicated as evidence, so unfortunately, we do not have either. If I had the videos, I would have no problem giving them to you but unfortunately, I do not.

This proves that Glen Andrew Hall had violated or not complied with two court orders since the deletion of evidence was done after those orders, and that non-compliance or violation carried over to the third court order for discovery. Your Honor, you can check your two court orders dated February 6, 2019 and July 15, 2019. Then there is also the General District Court's order dated November 28, 2018. All of those orders were not complied with by Glen Andrew Hall, Esquire, Commonwealth's Attorney in this case.

Also once a criminal case is filed, the body-camera footage was supposed to be marked as evidence according to Police Chief Rob Fincher. It was not marked as evidence, the Commonwealth Attorney did not do this, Glen Andrew Hall didn't properly ask the Police Department to preserve the footage. He is at fault here along with G. E. Cassady.

I had proven to this Court and to you, your Honor, that I had mailed two letters to former Police Chief G. E. Cassady. Stella and Kenneth Forinash mailed a typed version asking for body-camera footage in March 13th/mailed on March 14, 2019. The signed return receipt attached to this letter proved receipt.

That letter and return receipt, the photocopy of that typed letter was the last mailing on March 14, 2019 sent to Martinsville Police Department or to Police Chief G. E. Cassady of Martinsville Police Department before the destruction of the body-camera footage on April 9, 2019. It was destroyed by deletion.

I refer back to Page 26 of the MOTION pending before your Court: See **Element 2: The Plaintiffs were ordered three separate times by two Courts in total (General District Court, Circuit Court) including this Court to have provided discovery evidence to the Defendant and/or to his court appointed attorney which includes any recorded statement of the Defendant made to law enforcement concerning the criminal charge; instead the Plaintiffs' had destroyed the discovery evidence of the police body-camera footage during the pendency of the criminal trial proceedings and litigation, then they demand a jury trial despite knowing that they destroyed evidence favorable to the Defendant in violation of three separate court orders which is CONTEMPT OF COURT;** ..... 26.

The body-camera footage should have never been deleted "by the DVMS system on 4/9/2019". April 9, 2019. The Commonwealth Attorney was fully made aware by the Court two different times for Orders for Discovery prior to the evidence being deleted which falls within the scope of what was defined in those court orders; which is unlawful spoliation of evidence, and on the third order dated July 15, 2019.

The Police Chief is a credible witness and whoever he asked to look through the records of Martinsville Police Department. This credible witness has responded with very credible information. Proving that the body-camera **footage was deleted without being MARKED AS EVIDENCE, on April 9, 2019** while I was still in federal custody at the Federal Correctional Institution 1 in Butner, North Carolina.

This proves Element 2 of the Statement of the Facts within my filed Motion on January 26, 2023. This proves my claims beyond a reasonable doubt, prima facie evidence.

Since Element 2 has been satisfied, I ask you, your Honor, that you permit me to establish a Fact of an adverse inference meaning that I am permitted to establish a fact which I believe would have been proven with the spoliation of evidence purposefully by the Commonwealth's Attorney Glen Andrew Hall.

I shall cite the very adverse inference I would like the Circuit Court to adopt as a fact with the spoliation of the body-camera footage proven

through unlawful destruction of the material evidence within the scope of the Circuit Court order dated February 6, 2019 and July 15, 2019.

I shall copy and paste some of what was said in that letter:
See Page 38-39 of 107 of MOTION filed January 26, 2023; Motion-Circuit-Court1-26-2023.pdf:

Proffered adverse Inference: Defendant asserts under adverse inference that the destroyed police body-camera footage would have proven that the Defendant was intoxicated, was dehydrated, and/or had exhibited behaviors which may be an indication of being intoxicated during the questioning of Brian David Hill as to why he was naked. That evidence which was destroyed would have shown Defendant being intoxicated or not in his right state of mind when Officer Robert Jones had spoken with the Defendant during the activation of his body-camera on his person, on his uniform. The body-cam footage would have shown footage not favorable to the Martinsville Police Department in how they handled the situation of a person with medical issues including a neurological disability of autism spectrum disorder and Type 1 brittle diabetes. That is what the Defendant is proffering to this Court as a fact of an adverse inference. Defendant is entitled to an adverse inference when the Plaintiffs had not complied with three court orders for discovery evidence materials and had destroyed evidence subject to those three court orders.

If this Circuit Court does adopt my proffered fact through an adverse inference due to the unlawful destruction of evidence within the scope of the multiple court orders, then I ask that the Honorable Circuit Court go ahead and establish the fact in my Statement of the Facts that "*the destroyed police body-camera footage would have proven that the Defendant was intoxicated, was dehydrated, and/or had exhibited behaviors which may be an indication of being intoxicated during the questioning of Brian David Hill as to why he was naked. That evidence which was destroyed would have shown Defendant being intoxicated or not in his right state of mind when Officer Robert Jones had spoken with the Defendant during the activation of his body-camera on his person, on his uniform.*"

The Honorable Court now has prima facie evidence/proof of **Element 2**

of the Statement of the Facts on the issue of fraud on the court by proving **Element 2**. See page 38-39 of 107 of MOTION filed January 26, 2023; Motion-Circuit-Court1-26-2023.pdf.

The response by the new Police Chief Rob Fincher shows that evidence was deleted/spoliation after a criminal case litigation, and that was not supposed to happen according to the Police Chief. The fault is within the Commonwealth Attorney Office and former Police Chief G. E. Cassady who was notified in writing three separate times. Two court orders, and the third court order after the destruction of the body-camera footage. The fault entirely would also include Scott Albrecht, Glen Andrew Hall, and former Police Chief G. E. Cassady. All three are at fault for the spoliation of evidence. I had proven that before this Court. Have I not proven this fact???

Stella Forinash prepared a Microsoft Word draft file in .docx format of what was originally called a diagram draft page of a short summary of different issues concerning fraud on the court, the different issues in the criminal case showing a shaky or fraudulent foundation of the very criminal charge. I have decided to entitle it a SHORT SUMMARY OF WHAT WAS PROVEN AS TO FRAUD ON THE COURT; Prepared by Stella Forinash, edited and modified by Brian David Hill. This is a short summary, a few pages explaining in a nutshell the various issues of fraud which constituted a fraud upon the court by the Commonwealth's Attorney. It isn't just unlawful destruction of the body-camera footage, it wasn't just non-compliance with court orders. It is also about the police quickly charging Brian David Hill within a few hours or less on very shaky grounds without even a thorough investigation, and never verifying whether or not Brian David Hill was in fact medically and psychologically cleared when charged. All elements have been proven and satisfied to the satisfaction of this Honorable Circuit Court.

Brian David Hill = Innocence, because I am innocent, I can never be convicted of my charge on September 21, 2018, and should not be as it stands with the prima facie evidence and facts which had been laid out since MOTION FOR SET ASIDE OR RELIEVE DEFENDANT OF JUDGMENT OF CONVICTION OF CRIMINAL CHARGE PURSUANT TO VIRGINIA

CODE § 8.01-428(D), VIRGINIA CODE § 8.01-428(A) AND VIRGINIA CODE § 8.01-428(B) ON THE BASIS OF FRAUD UPON THE COURT, CLERICAL FACTUAL ERRORS. I have satisfied the burden of proof.

If the Circuit court still is not convinced that I have satisfied the burden of proof necessary of my motion for relief being granted, this Court is free to order an evidentiary hearing or mail interrogatories to the witnesses, and ask the Police Chief about the evidence deletion in 2019. This Court should conduct an inquiry on all of the issues in the filed Motion.

Then there is new evidence about Scott Albrecht which this Court has a duty to conduct an inquiry to determine if a conflict of interest did exist or exists right now regarding Scott Albrecht working for the prosecution after representing the very same criminal defendant. At least he should recuse himself from any involvement with Brian Hill's cases from the prosecution side since this same attorney had represented Brian Hill prior to being hired by the Commonwealth's Attorney Glen Andrew Hall.

Thank you for your time and attention to this matter.

Where We Go One We Go All (WWG1WGA), Nothing Can Stop What Is Coming (NCSWIC).



Brian D. Hill

God bless you,
Brian D. Hill
Defendant
Ally of Q, Former news reporter of U.S.W.G.O. Alternative News
310 Forest Street, Apartment 2
Martinsville, Virginia 24112
(276) 790-3505
JusticeForUSWGO.NL or JusticeForUSWGO.wordpress.com

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

GE CASSADY, CHIEF U= POLICE
55 WEST CHURCH ST
MARTINSVILLE, VA 24112

9590 9402 3915 8060 4856 85

2. Article Number (Transfer from service label)

7018 1830 0001 9309 1586

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X [signature] ☐ Agent ☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery 3/18/19

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
- ☐ Adult Signature
- ☐ Adult Signature Restricted Delivery
- ☐ Certified Mail®
- ☐ Certified Mail Restricted Delivery
- ☐ Collect on Delivery
- ☐ Collect on Delivery Restricted Delivery
- ☐ Insured Mail
- ☐ Insured Mail Restricted Delivery (over $500)
- ☐ Priority Mail Express®
- ☐ Registered Mail™
- ☐ Registered Mail Restricted Delivery
- ☐ Return Receipt for Merchandise
- ☐ Signature Confirmation™
- ☐ Signature Confirmation Restricted Delivery

PS Form 3811, July 2015 PSN 7530-02-000-9053 Domestic Return Receipt

7018 1830 0001 9309 1586

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Certified Mail Fee	$3.50
Extra Services & Fees (check box, add fee as appropriate)	
☐ Return Receipt (hardcopy)	$0.00
☐ Return Receipt (electronic)	$0.00
☐ Certified Mail Restricted Delivery	$0.00
☐ Adult Signature Required	$0.00
☐ Adult Signature Restricted Delivery	$
Postage	$1.30
Total Postage and Fees	$7.60

0362 13
MARTINSVILLE, VA 24112
Postmark Here
MAR 14 2019
03/14/2019

Sent To: GE CASSADY - CHIEF OF POLICE
Street and Apt. No., or PO Box No.: 55 WEST CHURCH ST
City, State, ZIP+4®: MARTINSVILLE, VA 24112

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

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9590 9402 3915 8060 4856 85

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USPS
Permit No. G-10

United States Postal Service

• Sender: Please print your name, address, and ZIP+4® in this box•

KEN & STELLA KORINASH
916 CHALMERS ST, APT A
MARTINSVILLE, VA 24112

7018 1830 0001 9309 1586

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Certified Mail Fee	$3.50
$	$2.80
Extra Services & Fees (check box, add fee as appropriate)	
☐ Return Receipt (hardcopy)	$0.00
☐ Return Receipt (electronic)	$0.00
☐ Certified Mail Restricted Delivery	$0.00
☐ Adult Signature Required	$0.00
☐ Adult Signature Restricted Delivery	$
Postage	$1.30
$	
Total Postage and Fees	$7.60
$	

0362 13

MARTINSVILLE, VA 24112
Postmark Here
MAR 14 2019
03/14/2019

Sent To: GC CASSADY - CHIEF OF POLICE
Street and Apt. No., or PO Box No.: 55 WEST CHURCH ST
City, State, ZIP+4®: MARTINSVILLE, VA 24112

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

January 19, 2019 **(Typed letter March 13, 2019)**

Dear Chief of Police of Martinsville Police Dept: G. Edward Cassady

CC: Commonwealth Attorney, Case no C18-3138,

55 West Church Street Municipal Building Martinsville, VA 24112

Martinsville Circuit Court case Discovery Request

Under Virginia Code in regards to discovery requirements for misdemeanor and felony trials in the Commonwealth of Virginia, Brady v Maryland, Giglio v U.S., Brian Hill hereby requests a copy of Police-Camera footage presumably recorded by Sgt. R.D. Jones of Martinsville Police Department between the times of 3:00AM and 4:00AM, September 20, 2018, where I gave statements about the man wearing the hoodie, who had threatened to kill my mother Roberta Hill on the late night of September 20, 2018. Please turn over that Police body camera footage recording evidence copy to my Attorney Scott Albrecht of the Martinsville Public Defender Office, As Soon As Possible. Thank you for your service.

My Respects,

Brian D. Hill (Signed)

Dated January 19, 2019

P.S. Brian Hill has Autism Spectrum Disorder in DMV handicap placard records

Brian David Hill #29947-057 Federal Correctional Institution 1
Old NC Hwy 75; P.O. Box 1000 Butner, NC 27509
JusticeForUSWGO,wordpress.com USWGO

(Letter 1)

Copy of note mailed with letter dated January 19, 2019

Chief of Police and Commonwealth Attorney in Martinsville, VA,

Please acknowledge receipt of letters. Please write response.

Thank you

Brian D. Hill

God bless you!

Note: In a week of no response, I will assume that it was lost and mail another copy. Thanks.

Note from Brian's grandparents. Brian wrote this on January 19, 2019 and January, 20, 2019. He received no response, He sent it again and received no response a week later. After waiting almost two months, his grandparents will have to go to the post office and send this out return receipt requested. You also should know that Brian has been on disability since the age of 19 months; has brittle diabetes requiring insulin shots, has seizures, autism, anxiety and OCD. His actions that night were not normal. He was a victim who was arrested and sent to jail by the police who are supposed to protect its citizens and disabled. Brian's mom and grandparents were at the trial and noticed the prosecuting attorney making derogatory comments and making fun of this disabled citizen of Martinsville in front of his family and many other people in the court room.

KEN & STELLA FORINASH
916 CHALMERS ST., APT A
MARTINSVILLE, VA 24112

G. E CASSADY, CHIEF OF POLICE
MARTINSVILLE POLICE DEPARTMENT
55 WEST CHURCH ST.
MARTINSVILLE, VA 24112

4143

Dear Chief of Police of Martinsville Police Dept.,
CC: Commonwealth Attorney, Case no. C18-3138,
55 West Church Street,
Municipal Building,
Martinsville, VA 24112,

For Jason McMurray
Martinsville Circuit Court case
Discovery Request

Under Virginia Code in regards to discovery requirements for misdemeanor and felony trials in the Commonwealth of Virginia, Brady v. Maryland, Giglio v. U.S., Brian David Hill hereby requests a copy of Police Body-Camera footage presumably recorded by Sgt. R.D. Jones of Martinsville Police Department between the times of 3:00AM and 4:00AM, September [redacted] 21, 2018, where I gave statements about the man wearing the hoodie who had threatened to kill my mother Roberta Hill on the late night of September 20, 2018. Please turn over that Police body camera footage recording evidence copy to my Attorney Scott Albrecht of the Martinsville Public Defender Office, As Soon As Possible. Thank You for your service.

My Respects,

Brian D. Hill
Signed

Dated January 19, 2019.

P.S. Brian Hill has Autism Spectrum Disorder in DMV handicap placard records.

Brian David Hill #29947-057
Federal Correctional Institution 1
Old NC Hwy 75; P.O. Box 1000
Butner, N.C. 27509
JusticeForUSWGO.wordpress.com
U.S.W.G.O.

SHORT SUMMARY OF WHAT WAS PROVEN AS TO FRAUD ON THE COURT
Prepared by Stella Forinash, edited and modified by Brian David Hill
Case no. CR19000009-00, For Martinsville Circuit Court; Date: February 14, 2023

1. Chimney people deny putting tin instead of screen on chimney causing carbon monoxide to go inside our home because no where for gas to escape 11 months (Oct. 2017) before my arrest. Denied coming to the house. Phone call logs/records & canceled check proves they did come and got paid. **See EXHIBIT APPENDIX VOLUME I OF II (Pages 1 – 532) IN SUPPORT OF MOTION FOR JUDGMENT OF ACQUITTAL OR NEW TRIAL PURSUANT TO RULE 3A:15 BASED UPON NEW EVIDENCE OF SUSPECT JACODY CASSELL OF BUSINESS ENTITY: THE CHIMNEY SWEEP WHO CAUSED CARBON MONOXIDE POISONING INTOXICATION OF CRIMINAL DEFENDANT WARRANTING NEW TRIAL OR ACQUITTAL, filed on September 6, 2022.**
2. Court appointed lawyer never introduces or pushes as evidence in the Court the expert testimony from the chimney expert who found the tin 3 months after my arrest (Jan. 2019) and immediately removed it explaining that the damage inside our home was caused by carbon monoxide coming from our natural gas hot water heater & natural gas boiler furnace into the house – nowhere else to escape. **See EXHIBIT APPENDIX PG. 18 OF 532 of EXHIBIT APPENDIX VOLUME I OF II (Pages 1 – 532) IN SUPPORT OF MOTION FOR JUDGMENT OF ACQUITTAL OR NEW TRIAL PURSUANT TO RULE 3A:15 BASED UPON NEW EVIDENCE OF SUSPECT JACODY CASSELL OF BUSINESS ENTITY: THE CHIMNEY SWEEP WHO CAUSED CARBON MONOXIDE POISONING INTOXICATION OF CRIMINAL DEFENDANT WARRANTING NEW TRIAL OR ACQUITTAL, filed on September 6, 2022.**
3. Doctor at hospital does not test the blood sugar from a type 1 brittle diabetic (Sept 2018) who was out walking for miles & hours in the middle of the night wearing no clothes. It is on hospital records that I am a type 1 diabetic (take insulin) with seizure history when glucose goes low; have autism & OCD. **See EXHIBIT PAGE 253-260 OF 337 of EXHIBITS 1-25 attached to: "MOTION FOR SET ASIDE OR RELIEVE DEFENDANT OF JUDGMENT OF CONVICTION OF CRIMINAL CHARGE PURSUANT TO VIRGINIA CODE § 8.01-428(D), VIRGINIA CODE § 8.01-428(A) AND VIRGINIA CODE § 8.01-428(B) ON THE BASIS OF FRAUD UPON THE COURT, CLERICAL FACTUAL ERRORS"**
4. They do other blood work, charge Medicaid for the blood work, then destroy the blood work without any result per hospital & Medicaid billing records. **See EXHIBIT PAGE 260 OF 337, EXHIBIT PAGE 88-91 OF 337, and EXHIBIT PAGE 248-249 OF 337 of EXHIBITS 1-25 attached to: "MOTION FOR SET ASIDE OR RELIEVE DEFENDANT OF JUDGMENT OF CONVICTION OF CRIMINAL CHARGE PURSUANT TO VIRGINIA CODE § 8.01-428(D), VIRGINIA CODE § 8.01-428(A) AND VIRGINIA CODE § 8.01-428(B) ON THE BASIS OF FRAUD UPON THE COURT, CLERICAL FACTUAL ERRORS".**
5. I requested body camera footage, my family requested body camera footage, court appointed attorney requested body camera footage, court requested body camera footage. No one follows through. I discovered on 2-13-2023 body cam was not marked as evidence and destroyed after these entire request for it. **See pleading: Brian Hill FOIA Request.pdf,**

Letter from Kendall David, Public Information Officer of City of Martinsville, filed with Clerk on February 13, 2023.

6. Police who arrested me admits in court that I told him that I had autism. Also admits in court that after years of being a police officer, he has very little training in autism. Autism, type 1 (insulin dependent) diabetes and OCD are all covered under the Americans with Disabilities Act. I have medical proof from 1994 and from 2019-2023 that I have all 3 disabilities plus more. **See EXHIBIT PAGE 39-40 OF 337 of EXHIBITS 1-25 attached to: "MOTION FOR SET ASIDE OR RELIEVE DEFENDANT OF JUDGMENT OF CONVICTION OF CRIMINAL CHARGE PURSUANT TO VIRGINIA CODE § 8.01-428(D), VIRGINIA CODE § 8.01-428(A) AND VIRGINIA CODE § 8.01-428(B) ON THE BASIS OF FRAUD UPON THE COURT, CLERICAL FACTUAL ERRORS".**
7. Police who did the arrest admits in court he was not aware that I was a type 1 diabetic and have OCD. **Again, see EXHIBIT PAGE 39-40 OF 337 of EXHIBITS 1-25.**
8. Court appointed attorney does not give my full mental history around the time of the alleged crime to the one doing the mental evaluation. It is very clear on the records of the Piedmont Community Services that I was diagnosed (Explained by whom, date & the diagnosis). **See EXHIBIT INDEX PAGE 164-170 OF 317, EXHIBIT 19: Mental health medical records from Piedmont Community Services, concerning Dr. Conrad Daum patient visit on October 24, 2018 for attached to: "MOTION FOR JUDGMENT OF ACQUITTAL OR NEW TRIAL PURSUANT TO RULE 3A:15 BASED UPON NEW EVIDENCE WHICH DISPROVES THE ELEMENTS OF CHARGED CRIME BY PROSECUTION, EVIDENCE WARRANTING NEW TRIAL OR ACQUITTAL" by Brian David Hill. Filed with Clerk on August 31, 2022.**
9. Police did not investigate, just arrest. I was put in jail and punished due to a Medical emergency in the middle of the night while my caregiver and family were asleep. **See Element 1 in Statement of the Facts, Pages 22-36 of 107 in MOTION FOR SET ASIDE OR RELIEVE DEFENDANT OF JUDGMENT OF CONVICTION OF CRIMINAL CHARGE PURSUANT TO VIRGINIA CODE § 8.01-428(D), VIRGINIA CODE § 8.01-428(A) AND VIRGINIA CODE § 8.01-428(B) ON THE BASIS OF FRAUD UPON THE COURT, CLERICAL FACTUAL ERRORS.**
10. Medical records – tachycardia (meaning resting blood pulse is over 100 which is abnormally high, indication of possibly a serious medical issue)- given oxygen – written on hospital records to see my doctor the next morning for more test. All of this ignored by police & court. **See Pages 56-57 of 107 in MOTION FOR SET ASIDE OR RELIEVE DEFENDANT OF JUDGMENT OF CONVICTION OF CRIMINAL CHARGE PURSUANT TO VIRGINIA CODE § 8.01-428(D), VIRGINIA CODE § 8.01-428(A) AND VIRGINIA CODE § 8.01-428(B) ON THE BASIS OF FRAUD UPON THE COURT, CLERICAL FACTUAL ERRORS**
11. Former Assistant Public Defender Scott Albrecht does absolutely nothing to compel compliance with Court Orders for the discovery evidence materials directly material to the charged crime. Material evidence was deleted/destroyed by Martinsville Police Department not knowing that the destroyed evidence should have been marked as evidence because prosecuting Attorney Glen Andrew Hall and Scott Albrecht both didn't do anything despite the court orders for discovery. Both failed as officers of the court to do their duty and wasted the court's time by allowing destruction of evidence and allowing non-compliance with Court Orders. **See pleading: Brian Hill FOIA Request.pdf, Letter**

from Kendall David, Public Information Officer of City of Martinsville, filed with Clerk on February 13, 2023.

12. In 2023, it is discovered that a lawyer named "Scott Albrecht" has been found to be an Assistant Commonwealth's Attorney according to a printout from Staff Directory of the City of Martinsville, a local government website. Same name as the Assistant Public Defender Scott Albrecht who represented me, Brian David Hill, since the Public Defender was appointed as my counsel of record. **See recently filed "DECLARATION OF BRIAN DAVID HILL OF NEW EVIDENCE CONCERNING PUBLIC DEFENDER ASSISTANT SCOTT ALBRECHT IN SUPPORT OF MOTION FOR SET ASIDE OR RELIEVE DEFENDANT OF JUDGMENT OF CONVICTION OF CRIMINAL CHARGE PURSUANT TO VIRGINIA CODE § 8.01-428(D), VIRGINIA CODE § 8.01-428(A) AND VIRGINIA CODE § 8.01-428(B) ON THE BASIS OF FRAUD UPON THE COURT, CLERICAL FACTUAL ERRORS", filed on February 13, 2023.**

- **Respectfully filed with the Honorable Circuit Court, on February 14, 2023.**

Brian D. Hill
Signed
Brian D. Hill

Brian D. Hill
Defendant
Former news reporter of U.S.W.G.O. Alternative News
Ally of Q
310 Forest Street, Apartment 2
Martinsville, Virginia 24112
(276) 790-3505

JusticeForUSWGO.NL or JusticeForUSWGO.wordpress.com

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Pleading was transmitted, to the office of Glen Andrew Hall, Martinsville Commonwealth's Attorney, 55 W. Church Street, Martinsville, Virginia 24112, Email: ahall@ci.martinsville.va.us, on this 14thday of February, 2023.

Brian D. Hill
Signed
Brian D. Hill

Brian D. Hill
Defendant

Received On 2/17/2023 By User: jnunn Circuit Court Clerk's Office Martinsville, VA Jean P. Nunn, Clerk

VIRGINIA: IN THE CIRCUIT COURT FOR THE CITY OF MARTINSVILLE

COMMONWEALTH OF VIRGINIA, CITY OF MARTINSVILLE, PLAINTIFF(s),	)	CASE NO: CR19000009-00
v.	)	**MOTION TO RECONSIDER THE ORDER DENYING "MOTION FOR SET ASIDE OR RELIEVE DEFENDANT OF JUDGMENT OF CONVICTION OF CRIMINAL CHARGE PURSUANT TO VIRGINIA CODE § 8.01-428(D), VIRGINIA CODE § 8.01-428(A) AND VIRGINIA CODE § 8.01-428(B) ON THE BASIS OF FRAUD UPON THE COURT, CLERICAL FACTUAL ERRORS"**
BRIAN DAVID HILL, DEFENDANT.	)	

MOTION TO RECONSIDER THE ORDER DENYING "MOTION FOR SET ASIDE OR RELIEVE DEFENDANT OF JUDGMENT OF CONVICTION OF CRIMINAL CHARGE PURSUANT TO VIRGINIA CODE § 8.01-428(D), VIRGINIA CODE § 8.01-428(A) AND VIRGINIA CODE § 8.01-428(B) ON THE BASIS OF FRAUD UPON THE COURT, CLERICAL FACTUAL ERRORS"

Respectfully submitted with the Court,

This the 17th day of February, 2023.

Brian D. Hill
Signed
Brian D. Hill

Brian D. Hill
Defendant
Former news reporter of U.S.W.G.O. Alternative News
Ally of Q
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COVER PAGE

Table of Contents

VIRGINIA: IN THE CIRCUIT COURT FOR THE CITY OF MARTINSVILLE 1

COMMONWEALTH OF VIRGINIA, ...1

MOTION TO RECONSIDER THE ORDER DENYING "MOTION FOR SET ASIDE OR RELIEVE DEFENDANT OF JUDGMENT OF CONVICTION OF CRIMINAL CHARGE PURSUANT TO VIRGINIA CODE § 8.01-428(D), VIRGINIA CODE § 8.01-428(A) AND VIRGINIA CODE § 8.01-428(B) ON THE BASIS OF FRAUD UPON THE COURT, CLERICAL FACTUAL ERRORS".....1

Table of Contents.....2

Motion to Reconsider the Order denying "MOTION FOR SET ASIDE OR RELIEVE DEFENDANT OF JUDGMENT OF CONVICTION OF CRIMINAL CHARGE PURSUANT TO VIRGINIA CODE § 8.01-428(D), VIRGINIA CODE § 8.01-428(A) AND VIRGINIA CODE § 8.01-428(B) ON THE BASIS OF FRAUD UPON THE COURT, CLERICAL FACTUAL ERRORS".....6

ACCOMPANYING EVIDENCE FILINGS: 8

GROUNDS: 8

1. The additional evidence EXHIBITS 1-7 further proves Fraud on the Court (Element 1);...8
2. Rule 1:1 doesn't bar relief under Virginia Code § 8.01-428(D), Virginia Code § 8.01-428(A) and Virginia Code § 8.01-428(B) (Element 2); 9
3. Fraud on the Court has been proven in multiple aspects. Fraud and collusion (Element 3);9
4. Attorney Scott Albrecht who was the Assistant Public Defender who represented the Defendant may have been hired years later as the Assistant Commonwealth's Attorney and works for the Commonwealth's Attorney against the Defendant despite being in

conflict of interest in representing the Defendant previously in the same criminal case, and then switching sides to the Commonwealth Attorney. The Court should have conducted an inquiry into this and issued appropriate orders in dealing with the conflict of interest as it was made known to the Court. Instead, the Court refused to conduct an inquiry or hold any hearings over this, refused to ask for a response from the Commonwealth's Attorney and allowed the conflict of interest to remain in place without asking any questions (Element 4);.....9

5. Refusing to hold Glen Andrew Hall the Commonwealth's Attorney accountable for fraud on the court and non-compliance with court orders for discovery, which is contempt of court, is in violation of the Fourteenth Amendment of the U.S. Constitution under both Due Process Clause and Equal Protection Clause (Element 5); 9

6. Denying the Motion and not holding any attorney/lawyer accountable for non-compliance with court orders and conflicts of interests sets a very dangerous precedent never usually seen before in appellate case law where a party or attorney for a party doesn't have to comply with any court orders. Makes court orders useless and ineffective when they can be disobeyed. Sets the precedent in the future where Glen Andrew Hall the Commonwealth's Attorney can destroy any evidence they want to even after court orders asking for it. They can destroy any evidence and violate any court order without any consequence. This promotes anarchy and promotes becoming a law onto himself. Opens the door for possibly vigilante justice and makes the law no longer enforceable (Element 6). 10

ADDITIONAL STATEMENT OF THE FACTS 11

Element 1: The additional evidence EXHIBITS 1-7 further proves Fraud on the Court; 11

Element 2: Rule 1:1 doesn't bar relief under Virginia Code § 8.01-428(D), Virginia Code § 8.01-428(A) and Virginia Code § 8.01-428(B); 21

Element 3: Fraud on the Court has been proven in multiple aspects. Fraud and collusion; 22

Element 4: Attorney Scott Albrecht who was the Assistant Public Defender who represented the Defendant may have been hired years later as the Assistant Commonwealth's Attorney and works for the Commonwealth's Attorney against the Defendant despite being in conflict of interest in representing the Defendant previously in the same criminal case, and then switching sides to the Commonwealth Attorney. The Court should have conducted an inquiry into this and issued appropriate orders in dealing with the conflict of interest as it was made known to the Court. Instead, the Court refused to conduct an inquiry or hold any hearings over this, refused to ask for a response from the Commonwealth's Attorney and allowed the conflict of interest to remain in place without asking any questions; 26

Element 5: Refusing to hold Glen Andrew Hall the Commonwealth's Attorney accountable for fraud on the court and non-compliance with court orders for discovery, which is contempt of court, is in violation of the Fourteenth Amendment of the U.S. Constitution under both Due Process Clause and Equal Protection Clause; 29

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anarchy and promotes becoming a law onto himself. Opens the door for possibly vigilante justice and makes the law no longer enforceable. 37

LEGAL ARGUMENTS 47

EXHIBITS LIST 52

REQUEST FOR COURT TO PROVIDE EQUITABLE RELIEF AND ANY OTHER RELIEF 54

CERTIFICATE OF SERVICE, CERTIFICATE OF FILING 57

Motion to Reconsider the Order denying "MOTION FOR SET ASIDE OR RELIEVE DEFENDANT OF JUDGMENT OF CONVICTION OF CRIMINAL CHARGE PURSUANT TO VIRGINIA CODE § 8.01-428(D), VIRGINIA CODE § 8.01-428(A) AND VIRGINIA CODE § 8.01-428(B) ON THE BASIS OF FRAUD UPON THE COURT, CLERICAL FACTUAL ERRORS"

COMES NOW the Defendant, BRIAN DAVID HILL ("Defendant"), by and through himself pro se, and moves this Honorable Court for the following independent action, for reconsideration of it's Order on February 14th, 2023 denying Defendant's filed "MOTION FOR SET ASIDE OR RELIEVE DEFENDANT OF JUDGMENT OF CONVICTION OF CRIMINAL CHARGE PURSUANT TO VIRGINIA CODE § 8.01-428(D), VIRGINIA CODE § 8.01-428(A) AND VIRGINIA CODE § 8.01-428(B) ON THE BASIS OF FRAUD UPON THE COURT, CLERICAL FACTUAL ERRORS".

The very motion which was denied was filed on January 26, 2023. Motion was denied shortly after new evidence was filed with the Court as to a FOIA response from Kendall Davis who works for the City of Martinsville as its Public Information Officer. Kendall Davis filed a response with answers to Defendant's questions sourced from Martinsville Chief of Police Rob Fincher. This evidence verifies by statements from a Chief law enforcement officer proving that the body-camera footage was unlawfully destroyed. The Court didn't get a chance to hold any inquiry or evidentiary hearing to address the Police Chief admitting cover up of material evidence, proving evidence was destroyed in response to two court orders

for discovery materials, one court order from Hon. Giles Carter Greer. The Circuit court filed a second court order on July 15, 2019 for discovery evidence not knowing that the body-camera footage had already been secretly destroyed and deleted while Police Chief was G. E. Cassady. The new police chief is exposing information which proves what Defendant had suspected for years without any answers from Martinsville Police Department. Fraud on the Court had been proven.

The order was filed or issued I believe on 02/14/2023, which is February 14, 2023, "DENIED MOT SET ASIDE CONV".

New evidence had recently been discovered and filed which may or may not had been reviewed by the Hon. Giles Carter Greer, the Judge of this Circuit Court. Either it had not been reviewed or the Judge had not had the time to review over the newly obtained evidence which further warrants relief herein. Rule 1:1 does not bar relief asked in the motion pursuant to Virginia Code § 8.01-428(D), Virginia Code § 8.01-428(A) and Virginia Code § 8.01-428(B), which was denied.

The new evidence proves **Element 2 of the Statement of the Facts** in Defendant's filed "MOTION FOR SET ASIDE OR RELIEVE DEFENDANT OF JUDGMENT OF CONVICTION OF CRIMINAL CHARGE PURSUANT TO VIRGINIA CODE § 8.01-428(D), VIRGINIA CODE § 8.01-428(A) AND VIRGINIA CODE § 8.01-428(B) ON THE BASIS OF FRAUD UPON THE COURT, CLERICAL FACTUAL ERRORS".

ACCOMPANYING EVIDENCE FILINGS:

The following evidence filings shall accompany this filing in support of this MOTION and is referenced herein.

1. RECONSIDERATION-EXHIBITS-2-16-2023.pdf - EXHIBITS 1-7 attached to: "Motion to Reconsider the Order denying "MOTION FOR SET ASIDE OR RELIEVE DEFENDANT OF JUDGMENT OF CONVICTION OF CRIMINAL CHARGE PURSUANT TO VIRGINIA CODE § 8.01-428(D), VIRGINIA CODE § 8.01-428(A) AND VIRGINIA CODE § 8.01-428(B) ON THE BASIS OF FRAUD UPON THE COURT, CLERICAL FACTUAL ERRORS". This document is being filed separately but accompanies this MOTION so that the judge can easily access the citations of the different page numbers from this separate document referenced in this Motion. – Pages marked as RECONSIDERATION EXHIBIT (#) OF 48.

The grounds in support of this motion are briefly as follows and this motion is also presenting a brief with legal arguments, facts, and evidence in support of this motion.

GROUNDS:

1. The additional evidence EXHIBITS 1-7 further proves Fraud on the Court (Element 1);

2. Rule 1:1 doesn't bar relief under Virginia Code § 8.01-428(D), Virginia Code § 8.01-428(A) and Virginia Code § 8.01-428(B) (Element 2);

3. Fraud on the Court has been proven in multiple aspects. Fraud and collusion (Element 3);

4. Attorney Scott Albrecht who was the Assistant Public Defender who represented the Defendant may have been hired years later as the Assistant Commonwealth's Attorney and works for the Commonwealth's Attorney against the Defendant despite being in conflict of interest in representing the Defendant previously in the same criminal case, and then switching sides to the Commonwealth Attorney. The Court should have conducted an inquiry into this and issued appropriate orders in dealing with the conflict of interest as it was made known to the Court. Instead, the Court refused to conduct an inquiry or hold any hearings over this, refused to ask for a response from the Commonwealth's Attorney and allowed the conflict of interest to remain in place without asking any questions (Element 4);

5. Refusing to hold Glen Andrew Hall the Commonwealth's Attorney accountable for fraud on the court and non-compliance with court orders for discovery, which is contempt of court, is in violation of the Fourteenth Amendment of the U.S. Constitution under both Due Process Clause and Equal Protection Clause (Element 5);

6. Denying the Motion and not holding any attorney/lawyer accountable for non-compliance with court orders and conflicts of interests sets a very dangerous precedent never usually seen before in appellate case law where a party or attorney for a party doesn't have to comply with any court orders. Makes court orders useless and ineffective when they can be disobeyed. Sets the precedent in the future where Glen Andrew Hall the Commonwealth's Attorney can destroy any evidence they want to even after court orders asking for it. They can destroy any evidence and violate any court order without any consequence. This promotes anarchy and promotes becoming a law onto himself. Opens the door for possibly vigilante justice and makes the law no longer enforceable (Element 6).

END GROUNDS

ADDITIONAL STATEMENT OF THE FACTS

This additional STATEMENT OF THE FACTS contains 6 additional elements, which should be taken into consideration when making a decision on reconsideration of the order denying Defendant's filed "MOTION FOR SET ASIDE OR RELIEVE DEFENDANT OF JUDGMENT OF CONVICTION OF CRIMINAL CHARGE PURSUANT TO VIRGINIA CODE § 8.01-428(D), VIRGINIA CODE § 8.01-428(A) AND VIRGINIA CODE § 8.01-428(B) ON THE BASIS OF FRAUD UPON THE COURT, CLERICAL FACTUAL ERRORS".

The additional Statement of the Facts is hereby presented to the Circuit Court for Martinsville based on the following new pieces of evidence which prove that the Honorable Court should reconsider its decision denying the Defendant's motion on its order dated February 14, 2023:

Element 1: The additional evidence EXHIBITS 1-7 further proves Fraud on the Court;

The Defendant had already shown material evidence proving Fraud on the Court in the original motion, which was overlooked or wasn't taken into consideration. The Defendant had already shown a FOIA Request letter faxed and filed on January 20, 2023, but at the time the motion was filed on January 26th, there was no response or answer from the City of Martinsville and Martinsville

Police Department. Again, see the filing **EXHIBIT PAGES 202-209 OF 337** in **EXHIBIT 12** for **attached EXHIBITS to: "MOTION FOR SET ASIDE OR RELIEVE DEFENDANT OF JUDGMENT OF CONVICTION OF CRIMINAL CHARGE PURSUANT TO VIRGINIA CODE § 8.01-428(D), VIRGINIA CODE § 8.01-428(A) AND VIRGINIA CODE § 8.01-428(B) ON THE BASIS OF FRAUD UPON THE COURT, CLERICAL FACTUAL ERRORS" by Brian David Hill**.

However, the City of Martinsville and Martinsville Police Department together did send a valid response or answers on February 13, 2023 by email from Kendall Davis. See **RECONSIDERATION EXHIBIT PAGE 1-4 OF 48**, **EXHIBIT 1**.

The email attachment shows a letter from Kendall Davis with information directly from a new Police Chief named Rob Fincher. See **RECONSIDERATION EXHIBIT PAGE 5-8 OF 48**, **EXHIBIT 2**. This proves the body-camera footage which was material evidence within the scope of multiple court orders was destroyed on April 9, 2019, while Defendant was still in federal detainment. The evidence was destroyed and spoliated silently by deletion in their electronic body-camera footage storing system, deleted as if it were routine because it was not marked as evidence even after two court orders had already been filed and served on the Commonwealth's Attorney asking for the body-camera footage. One of

those orders was entered by this Honorable Court, by Hon. Giles Carter Greer. So, the judge of this Honorable Court knows and understands as a judge that court orders were not complied with, his court order was not complied with. None of his court orders for discovery were ever complied with, and this Honorable Court didn't even know during Judge Greer's second court order on July 15, 2019, that the body-camera footage was already destroyed after Judge Greer's first court order for discovery. The General District Court asked for the body-camera footage and that order was not complied with. This is proven as willful contempt of court, willful non-compliance with court orders. Willful non-compliance with court orders of both General District Court and the Circuit Court by the Commonwealth's Attorney Glen Andrew Hall.

This Honorable Court was informed of the answer from the City of Martinsville proving **Element 2 in the Defendant's denied motion**, proving deliberate and willful destruction of evidence by not marking the body-camera footage as evidence even after multiple court orders asking for the body-camera footage. This is willful and deliberate. Deliberate and willful non-compliance from a lawyer nonetheless, a LAWYER, somebody who is supposed to be an officer of the court, and is all about the law. Multiple court orders were not complied with, so this is not a mistake here. See **RECONSIDERATION EXHIBIT PAGE 9-13 OF 48**, **EXHIBIT 3**. See the Court Orders on **EXHIBIT PAGE 272-280 OF 337**,

EXHIBIT 22 of Evidence_Exhibits-1-26-2023.pdf - EXHIBITS 1-25 attached to: "MOTION FOR SET ASIDE OR RELIEVE DEFENDANT OF JUDGMENT OF CONVICTION OF CRIMINAL CHARGE PURSUANT TO VIRGINIA CODE § 8.01-428(D), VIRGINIA CODE § 8.01-428(A) AND VIRGINIA CODE § 8.01-428(B) ON THE BASIS OF FRAUD UPON THE COURT, CLERICAL FACTUAL ERRORS".

Defendant had filed a "STATUS LETTER TO HONORABLE GILES CARTER GREER (JUDGE); CLERK OF MARTINSVILLE CIRCUIT COURT", Date: Tuesday, February 14, 2023. Same day as the order. The Honorable Court didn't have the time to consider the implications of what was brought up in that status letter regarding the new evidence and the admissions by Police Chief Ron Fincher as to the evidence deletion/destruction/spoliation suspected by the Defendant. See **RECONSIDERATION EXHIBIT PAGE 4-28 OF 48**, **EXHIBIT 4**. There is more than enough clear and convincing evidence for Defendant's burden of proof to establish enough proof of fraud on the court.

It is fraud on the court to destroy evidence, especially after the Court had asked for the discovery evidence.

McQueeney v. Wilmington Trust Co., 779 F.2d 916, 921 (3d Cir. 1985) ("There is ample support among both scholars and courts for this line of argument. Wigmore calls the inference "one of the simplest in human experience": It has

always been understood — the inference indeed is one of the simplest in human experience — that a party's falsehood or other fraud in the preparation and presentation of his cause, his fabrication or suppression of evidence by bribery or spoliation, is receivable against him as an indication of his consciousness that his case is a weak or unfounded one; and from that consciousness may be inferred the fact itself of the cause's lack of truth and merit.").

See Vodusek v. Bayliner Marine Corp., 71 F.3d 148 (4th Cir. 1995), holding that an adverse inference instruction was appropriate because the plaintiff's expert willfully destroyed parts of a boat at issue in a products-liability action before the defendant and its experts were able to examine it. Vodusek v. Bayliner Marine Corp., 71 F.3d 148, 156 (4th Cir. 1995) ("To draw an adverse inference from the absence, loss or destruction of evidence, it would have to appear that the evidence would have been relevant to an issue at trial and otherwise would naturally have been introduced into evidence. Even the mere failure, without more, to produce evidence that naturally would have elucidated a fact at issue permits an inference that "the party fears[to produce the evidence]; and this fear is some evidence that the circumstance or document or witness, if brought, would have exposed facts unfavorable to the party." 2 Wigmore on Evidence, Section(s) 285 at 192 (Chadbourn rev. 1979)."). Body-camera footage would have shown as material evidence things which were not favorable to the Commonwealth's Attorney and

would have led to a non-guilty verdict in General District Court or even a successful motion for case dismissal or acquittal.

Attorney Scott Albrecht on record had filed no push to compel compliance with the court orders, the very court orders he pushed for. For what he pushed for and for what he was supposed to do as part of the discovery rights of the Defendant, but failed to enforce those court orders not being complied with. Then evidence later surfaces this year showing collusion between Scott Albrecht and Glen Andrew Hall, Esquire. If Scott Albrecht was just some terrible lawyer who did a terrible job at defending his clients when he was the Assistant Public Defender, then why would Glen Andrew Hall hire Scott Albrecht as his Assistant Commonwealth's Attorney??? Why hire a lawyer who did a lousy job defending his own clients unless that was deliberate and would draw a reasonable inference that Scott Albrecht had always been helpful to the prosecution, helpful to Glen Andrew Hall this entire time. That is collusion and fraud. To give a deceptive appearance that Scott Albrecht was fighting for his client when in reality he was not. This is a rigged judicial system, and that violates both procedural due process of law and substantive due process of law, under the Fourteenth Amendment of the U.S. Constitution and Virginia Constitution's Article I. Bill of Rights; Section 11. See **RECONSIDERATION EXHIBIT PAGE 29-42 OF 48**, **EXHIBIT 5**.

There were a lot of things as far as even the General District Court that they were not made aware of because of Attorney Scott Albrecht who now works as the Assistant Commonwealth's Attorney being paid a salary from Glen Andrew Hall the Commonwealth Attorney. A lot of evidence and facts the Court was never aware of, and evidence they were never aware of. Both Courts were deceived and were in the dark. How is this not fraud on the court? See **RECONSIDERATION EXHIBIT PAGE 43-46 OF 48**, **EXHIBIT 6**. See the short summary and learn how fraudulent the entire prosecution was against an innocent person deceptively portrayed as guilty by the Commonwealth's Attorney.

The last piece of evidence shows a difference between how Defendant had been treated by this Court and how Glen Andrew Hall is being treated. Glen Andrew Hall is being allowed to illegally destroy evidence, cover up evidence, not comply with court orders he/she wishes, and doesn't have to comply with any law of the land. Yet after the General District Court found Defendant guilty, Defendant was released to or transferred to federal custody and was taken to the Western Virginia Regional Jail before the Clerk of the General District Court even noted an appeal to the Circuit Court. Appellant was then court ordered by the U.S. District Court to be mentally evaluated at a federal facility which was the Federal Correctional Institution 1 at Butner, North Carolina. That is a federal prison. So, Defendant couldn't even possibly appear before the hearing in the Circuit court

unless theoretically he broke out of prison, he couldn't even appear before the Circuit Court while he was federally incarcerated. They knew Defendant was incarcerated against his will yet the corrupt law-breaking Commonwealth Attorney Glen Andrew Hall pushed Judge Greer to order a capias for failure to appear on January 28, 2019 for a Defendant detained against his will on the day of the hearing while in federal custody; so, he couldn't possibly appear unless he had theoretically broken out of prison and hitched a ride to the Circuit Court for the hearing. The whole thing is cartoonish, it is insane, it is outlandish. See **RECONSIDERATION EXHIBIT PAGE 47-48 OF 48**, **EXHIBIT 7**.

It shown and I quote:

CITATION OF **RECONSIDERATION EXHIBIT PAGE 48 OF 48**, **EXHIBIT 7**

Jeanie Nunn

From: Nancy Sherman

Sent: Friday, February 01, 2019 10:35 AM

To: Jeanie Nunn; Andy Hall

Subject: RE: Brian David Hill

The Sheriffs Office confirmed the Feds picked Mr. Hill up out of our custody. Once the Feds are finished with Mr. Hill they will let us know and he will be brought back and placed in the custody of the Martinsville City Jail to await his Misd. Appeal.

From: Jeanie Nunn <JNUNN@ci.martinsville.va.us>

Sent: Tuesday, January 29, 2019 2:43 PM

To: Andy Hall <ahall@ci.martinsville.va.us>; Nancy Sherman <nsherman@ci.martinsville.va.us>; Scott Albrecht (salbrecht@mar.idc.virginia.gov) <salbrecht@rnar.idc.virginia.gov>

Cc: Judge Greer <cgreer@ci.martinsville.va.us>
Subject: Brian David Hill

On January 28, at the request of the Commonwealth, the Judge directed me to issue a capias on Mr. Hill since he is in Federal Custody in Butner NC and the Commonwealth wanted it placed as a Detainer against him. In reviewing his file determining the reason to show for the capias, I knew it couldn't be failure to appear so I thought "REVOKE HIS BOND". However, Mr. Hill has never made bond, therefore, the indecent exposure charge should be listed in his file in

the federal system and he should have a detainer against him anyway. The commonwealth may be able to contact Butner or possibly get the police department to check and make sure it is showing on his file that he has to be returned to us after completion of his fed time for the pending offense here.

Or Judge, if you have a particular charge you want me to issue a capias under and place a new detainer, please advise. Also, do I just continue this until next misdemeanor appeal day for a status review?

Thanks,
Jeanie Nunn
Certified Master Chief Deputy Clerk
Martinsville Circuit Court
P O Box 1206
Martinsville, VA 24114

EXHIBIT 7 proves one thing, Glen Andrew Hall of the Commonwealth's Attorney didn't care that Defendant was in Butner, North Carolina in federal custody, so how could he appear on January 28??? Mr. Hall was already ready to push a failure to appear charge knowing that the Defendant couldn't possibly appear because of Butner, North Carolina being a federal prison where Defendant had been detained at the time. Andrew Hall didn't care that the Defendant didn't

willfully fail to appear, he demanded a capias and Judge Greer agreed with Mr. Hall even though Defendant had a good reason for not appearing, and the Sheriff's office of Martinsville knew the Feds picked up the Defendant, so Andy Hall had pushed for a false charge of possibly "failure to appear" against the Defendant, a capias based on false pretenses. A charged crime has to be proven willful and without a valid excuses or good reason. Maybe Defendant is misunderstanding what the capias was about. However, the Defendant was in federal custody at the time of the hearing on January 28, 2019.

Yet the Commonwealth Attorney Glen Andrew Hall deliberately covered up evidence and didn't do their due diligence to preserve the body-camera footage after multiple court orders already. They didn't comply with two to three court orders. When multiple court orders are not being followed, that is a repeated behavior which has yet to be deterred, a repeated pattern of non-compliance. That is willful. Not a criminal defendant who was forcefully incarcerated by the Feds and taken to Butner, NC. He didn't appear because he was in federal prison and was taken away by the Feds. Now Andrew Hall aka Andy Hall made no excuse or good reason why he never complied with a single court order being highlighted by the Defendant as to the issues of fraud on the court.

Element 1 has been satisfied.

Element 2: Rule 1:1 doesn't bar relief under Virginia Code § 8.01-428(D), Virginia Code § 8.01-428(A) and Virginia Code § 8.01-428(B);

Defendant had already explained in his denied Motion that Rule 1:1 doesn't bar fraud on the court claims. This Court did have jurisdiction to act on this independent action motion.

Virginia Code § 8.01-428, is a limited statutory exception to Rule 1:1. Code § 8.01-428(D), permits a party to move to set aside a judgment for fraud upon the court, also applies in criminal cases. Pursuant to Code § 8.01-428(B), trial courts may also utilize *nunc pro tunc* orders to correct clerical errors within the record beyond the timeframe of Rule 1:1. *Jefferson v. Commonwealth*, 298 Va. 473, 476–77, 840 S.E.2d 329, 332 (2020).

See Wilson v. Commonwealth, 108 Va. Cir. 97, 101–02 (Fairfax Cir. Ct. Apr. 20, 2021) (Ortiz, J.) (holding that Code § 8.01-428(D) applies in criminal proceedings); see also Lamb v. Commonwealth, 222 Va. 161, 165, 279 S.E.2d 389, 392 (1981) (holding that Code § 8.01-428(B) applies in criminal cases and noting that the text of Code § 8.01-428 does not limit its applicability to civil cases as its statutory predecessors did).

Fraud on the Court in different aspects had already been proven.

For the sake of brevity, Defendant will not reiterate all of the text from every other element regarding the evidence and arguments referenced and cited from all

other elements. Defendant hereby incorporates by reference, as if fully set forth herein, all of the Element 1, Element 3, Element 4, Element 5, and Element 6 evidence, arguments, and citations.

Element 2 has been satisfied.

Element 3: Fraud on the Court has been proven in multiple aspects. Fraud and collusion;

Defendant has the evidence, and that evidence is already in the records of the Circuit Court and General District Court records transferred to the Circuit Court. Defendant had done his due diligence to inform this Honorable Court once he received or obtained new evidence of fraud on the court. This evidence is new and could not have been obtained while Eric Monday was the City's Attorney, as this attorney worked hard against the Defendant. This evidence is new and could not have been obtained while G. E. Cassady was the City's Chief of Police, as this police chief worked hard against the Defendant, and ignored any evidence mailed to them. Rob Fincher becomes the new police chief and all of the sudden things start moving forward, and evidence is obtained which was impossible prior to this new police chief.

See example case: Wilson v. Commonwealth, CL-2021-0003146, 2 (Va. Cir. Ct. Apr. 20, 2021) ("The following facts demonstrate an alarming chain of events

that began with an unlawful traffic stop, continued with a fraudulent police report and misrepresentations to a magistrate and the Commonwealth's Attorney's office, and resulted in Wilson's conviction. An internal investigation and discovery disclosures revealed an extensive trail of fraud and deception.")

The entire prosecution had become an extensive trail of fraud and deception. Defendant was never psychologically and medically cleared as previously assumed by the Officer Robert Jones. Didn't this Court read the transcript in federal court as to the arresting Officer Robert Jones who filed the CRIMINAL COMPLAINT since the General District Court has no transcription of its Trial???

See pages 22-26 (**Element 1 of the Statement of the Facts**) and pages 39-79 (**Statement of the Facts: Element 3, Element 4, Element 5, Element 6**) of the **MOTION FOR SET ASIDE OR RELIEVE DEFENDANT OF JUDGMENT OF CONVICTION OF CRIMINAL CHARGE PURSUANT TO VIRGINIA CODE § 8.01-428(D), VIRGINIA CODE § 8.01-428(A) AND VIRGINIA CODE § 8.01-428(B) ON THE BASIS OF FRAUD UPON THE COURT, CLERICAL FACTUAL ERRORS**.

It is deception and fraud, there shouldn't even be a judgment of conviction anymore. Keeping such a judgment is a fraud, it is a false criminal record, it is not even true. Only thing true was Defendant was naked, that is it. Not medically

cleared, no lab tests and no verification as to whether Defendant was intoxicated or not because it was deleted from the chart.

A criminal record means the law was violated by a suspect or criminal defendant, that every element of the charge had been proven. That is not true at all in the case of Brian David Hill prosecuted by Commonwealth Attorney Glen Andrew Hall.

The material element of intentionally making an obscene display was without merit. The material element of Defendant being "medically and psychologically cleared" was without merit. Simply being naked is not being obscene. Officer Jones admitted that the Defendant was not obscene. The Court didn't even inquire on its own and never asked Officer Robert Jones under penalty of perjury as to his statement in the federal court, omitted from the Transcript. The Court could have asked Robert Jones if what he had said was true on September 12, 2019, admitting under oath that the Defendant had never been obscene. See filing: Evidence_Declaration-1-26-2023.pdf - EVIDENCE OF FEDERAL COURT DECLARATIONS UNDER PENALTY OF PERJURY IN SUPPORT OF MOTION FOR SET ASIDE OR RELIEVE DEFENDANT OF JUDGMENT OF CONVICTION OF CRIMINAL CHARGE PURSUANT TO VIRGINIA CODE § 8.01-428(D), VIRGINIA CODE § 8.01-428(A) AND VIRGINIA CODE § 8.01-

428(B) ON THE BASIS OF FRAUD UPON THE COURT, CLERICAL FACTUAL ERRORS.

Then there are the statements in writing from current Police Chief Rob Fincher admitting the body-camera footage was destroyed after two court orders and multiple letters from the Defendant asking for the body-camera footage. The evidence was unlawfully destroyed, in violation of multiple court orders, willfully not complied with, and even after the Defendant had sent letters asking for the very evidence within the scope of those court orders. As stated in **Element 1**.

Body-camera footage was illegally deleted, just like the medical record with lab test orders saying "deleted from the chart". Another evidence cover up without any investigation or inquiry of this Court. See **EXHIBIT PAGE 260 OF 337** for **attached EXHIBITS to: "MOTION FOR SET ASIDE OR RELIEVE DEFENDANT OF JUDGMENT OF CONVICTION OF CRIMINAL CHARGE PURSUANT TO VIRGINIA CODE § 8.01-428(D), VIRGINIA CODE § 8.01-428(A) AND VIRGINIA CODE § 8.01-428(B) ON THE BASIS OF FRAUD UPON THE COURT, CLERICAL FACTUAL ERRORS" by Brian David Hill**.

Fraud and deception because Officer Robert Jones said in the CRIMINAL COMPLAINT under oath that Defendant was "medically and psychologically cleared" when he was arrested for indecent exposure. That was not true. Defendant

had proven it was not true. Defendant had proven he was not obscene as admitted by Officer Jones.

Defendant had proven fraud, he had proven the entire arrest was defective, "defective" being the word here. The arrest was defective and based on not solid evidence but false assumptions. Defendant was not medically cleared, he can never be proven to have been medically cleared at the time on September 21, 2018, because evidence was covered up. Evidence which would have proven intoxication. Evidence was proven to have been covered up by both Martinsville Police Department and Sovah Health Martinsville the local hospital. Evidence was destroyed and covered up all the way, any evidence favorable to the Defendant, that is fraud and deception. The criminal record of Brian David Hill is a deception at this point, it was fraudulent from the very foundation and should not stand in this case before this very Court. Defendant had proven that in his motion, this Court made the wrong decision denying that motion.

Element 3 has been satisfied.

Element 4: Attorney Scott Albrecht who was the Assistant Public Defender who represented the Defendant may have been hired years later as the Assistant Commonwealth's Attorney and works for the Commonwealth's Attorney against the Defendant despite being in conflict of interest in representing the Defendant previously in the same criminal case, and then switching sides to the Commonwealth Attorney. The Court should have conducted an inquiry into this and issued appropriate orders in dealing with the conflict of interest as it was made known to the Court. Instead, the Court refused to conduct an

inquiry or hold any hearings over this, refused to ask for a response from the Commonwealth's Attorney and allowed the conflict of interest to remain in place without asking any questions;

This Honorable Court had a duty to conduct an inquiry to determine if a conflict of interest did exist. It did not conduct any inquiry and neither any investigation into the findings from a printed webpage of the City of Martinsville Staff Directory saying that Scott Albrecht is an Assistant Commonwealth's Attorney. It is clear on the face of the entire criminal case since Judge Greer also knew that Scott Albrecht had represented the Defendant in both General District Court and in this case before the Circuit Court until Lauren McGarry had taken over representation after Scott Albrecht had left the Public Defender Office. It is clear that Scott Albrecht is assisting the Commonwealth Attorney Glen Andrew Hall, is being paid a salary by Glen Andrew Hall, and it was Glen Andrew Hall who was the attorney for the Commonwealth which is the opposing counsel of Brian David Hill. This is clearly unethical here. This is a conflict of interest for sure. Law firms in Virginia and all over America do not hire a client for representation in a potential case or pending case until they do what is known as a process called the internal "conflicts check" to determine if the client in a potential case or pending case would be a conflict of interest. It is a conflict of interest for Scott Albrecht to have free reign over assisting the Commonwealth's Attorney in

the case involving Brian David Hill the criminal defendant in the very same case Scott Albrecht had represented the Defendant on from the very beginning since the General District Court. It's all proven on the record since the very beginning ever since the Defendant was appointed the Public Defender as counsel, which Scott Albrecht became the representative of Defendant. IT IS A CONFLICT OF INTEREST. See Rules of Professional Conduct 1.3, 1.6 and 1.7; see also Holloway v. Arkansas, 435 U.S. 475 (1978); Dowell v. Commonwealth, 3 Va. App. 555 (1987).

This is unethical, unprofessional and unconstitutional for such a conflict of interest here. We are supposed to have impartiality and a separation of powers. A public defender is not supposed be working with the very same prosecutor in the very same case. It is weird, it is not supposed to happen. What is going on here? Why is this Court protecting such a conflict of interest and when a conflict of interest is violating State Bar rules without even an inquiry???

For the sake of brevity, Defendant will not reiterate all of the text from every other element regarding the evidence and arguments referenced and cited from all other elements. Defendant hereby incorporates by reference, as if fully set forth herein, all of the Element 1, Element 2, Element 3, Element 5, and Element 6 evidence, arguments, and citations.

Element 4 has been satisfied.

Element 5: Refusing to hold Glen Andrew Hall the Commonwealth's Attorney accountable for fraud on the court and non-compliance with court orders for discovery, which is contempt of court, is in violation of the Fourteenth Amendment of the U.S. Constitution under both Due Process Clause and Equal Protection Clause;

It is this Court's duty to hold all parties to a case accountable when a court order is not being complied with, when a court order is being ignored by an attorney who is an officer of the court who represents a party to a case. When evidence surfaces of a court order being violated and/or not complied with then it is this Court's inherit authority and duty to sanction a party or sanction that party's attorney. When evidence surfaces of a court order being violated and/or not complied with then it is this Court's inherit authority and duty to punish a party or punish that party's attorney. The Commonwealth's Attorney is not immune from having to comply with Court Orders. All attorneys are expected to comply with court orders, and be sanctioned when they refuse to comply. Because Glen Andrew Hall can violate as many court orders as he wants, the law no longer matters anymore, anybody can break the law, it creates a breakdown in a society of law and order.

See Wilson v. Commonwealth, CL-2021-0003146, (Va. Cir. Ct. Apr. 20, 2021) ("When one cog fails, subsequent rules malfunction, causing a breakdown in the judicial machinery…").

See Olmstead v. United States, 277 U.S. 438, 483 (1928) ("And if this Court should permit the Government, by means of its officers' crimes, to effect its purpose of punishing the defendants, there would seem to be present all the elements of a ratification. If so, the Government itself would become a lawbreaker."). Olmstead v. United States, 277 U.S. 438, 485 (1928) ("Decency, security and liberty alike demand that government officials shall be subjected to the same rules of conduct that are commands to the citizen. In a government of laws, existence of the government will be imperilled if it fails to observe the law scrupulously. Our Government is the potent, the omnipresent teacher. For good or for ill, it teaches the whole people by its example. Crime is contagious. If the Government becomes a lawbreaker, it breeds contempt for law; it invites every man to become a law unto himself; it invites anarchy. To declare that in the administration of the criminal law the end justifies the means — to declare that the Government may commit crimes in order to secure the conviction of a private criminal — would bring terrible retribution. Against that pernicious doctrine this Court should resolutely set its face.").

Virginia case law states that a Court has a right to punish a party including an attorney for willful non-compliance with a court order.

United Mine Workers v. Clinchfield Coal, 12 Va. App. 123, (Va. Ct. App. 1991) ("(1) Courts — Contempt of Court — Standard. — Compensatory civil contempt sanctions compensate the plaintiff for losses sustained because of the defendant's non-compliance or disobedience of a court's order; coercive civil contempt sanctions are imposed to coerce a defendant into complying with the orders of a court. (2) Courts — Contempt of Court — Standard. — When a case is settled by the parties, every proceeding dependent on it or a part of it is also necessarily settled, without prejudice, however, to the power and right of the court by proper proceedings to punish for contempt of court.").

United Mine Workers v. Clinchfield Coal, 12 Va. App. 123, 133 (Va. Ct. App. 1991) ("In contempt cases, both civil and criminal relief have aspects that can be seen as either remedial or punitive or both: when a court imposes fines and punishments on a contemnor, it is not only vindicating its legal authority to enter the initial court order, but it is also seeking to give effect to the law's purpose of modifying the contemnor's behavior to conform to the terms required in the order.").

As with the Commonwealth's Attorney, they pushed for a capias charge against the Defendant for failure to appear while incarcerated in Butner federal

prison in North Carolina against his will, so the Commonwealth Attorney was willing to push any penalty or sanctions to enforce compliance. Yet the Commonwealth's Attorney is allowed to violate any court they wish, they can refuse to follow a Court Order, and being allowed to refuse to follow a Court Order makes it meaningless as filed. A Court Order is meaningless unless it is enforced by any applicable punishment or sanction.

The last piece of evidence as to **EXHIBIT 7** shows a difference between how Defendant had been treated by this Court and how Glen Andrew Hall is being treated. Glen Andrew Hall is being allowed to illegally destroy evidence, cover up evidence, not comply with court orders he/she wishes, and doesn't have to comply with any law of the land. Yet after the General District Court found Defendant guilty, Defendant was released to or transferred to federal custody and was taken to the Western Virginia Regional Jail before the Clerk of the General District Court even noted an appeal to the Circuit Court. Appellant was then court ordered by the U.S. District Court to be mentally evaluated at a federal facility which was the Federal Correctional Institution 1 at Butner, North Carolina. That is a federal prison. So, Defendant couldn't even possibly appear before the hearing in the Circuit court unless theoretically he broke out of prison, he couldn't even appear before the Circuit Court while he was federally incarcerated. They knew Defendant was incarcerated against his will yet the corrupt law-breaking Commonwealth

Attorney Glen Andrew Hall pushed Judge Greer to order a capias for failure to appear on January 28, 2019 for a Defendant detained against his will on the day of the hearing while in federal custody; so, he couldn't possibly appear unless he had theoretically broken out of prison and hitched a ride to the Circuit Court for the hearing. The whole thing is cartoonish, it is insane, it is outlandish. See **RECONSIDERATION EXHIBIT PAGE 47-48 OF 48**, **EXHIBIT 7**.

It shown and I quote:

CITATION OF **RECONSIDERATION EXHIBIT PAGE 48 OF 48**, **EXHIBIT 7**

Jeanie Nunn

From: Nancy Sherman
Sent: Friday, February 01, 2019 10:35 AM
To: Jeanie Nunn; Andy Hall
Subject: RE: Brian David Hill

The Sheriffs Office confirmed the Feds picked Mr. Hill up out of our custody. Once the Feds are finished with Mr. Hill they will let us know and he will be brought back and placed in the custody of the Martinsville City Jail to await his Misd. Appeal.

From: Jeanie Nunn <JNUNN@ci.martinsville.va.us>
Sent: Tuesday, January 29, 2019 2:43 PM
To: Andy Hall <ahall@ci.martinsville.va.us>; Nancy Sherman <nsherman@ci.martinsville.va.us>; Scott Albrecht (salbrecht@mar.idc.virginia.gov) <salbrecht@rnar.idc.virginia.gov>
Cc: Judge Greer <cgreer@ci.martinsville.va.us>
Subject: Brian David Hill

On January 28, at the request of the Commonwealth, the Judge directed me to issue a capias on Mr. Hill since he is in Federal Custody

in Butner NC and the Commonwealth wanted it placed as a Detainer against him. In reviewing his file determining the reason to show for the capias, I knew it couldn't be failure to appear so I thought "REVOKE HIS BOND". However, Mr. Hill has never made bond, therefore, the indecent exposure charge should be listed in his file in

the federal system and he should have a detainer against him anyway. The commonwealth may be able to contact Butner or possibly get the police department to check and make sure it is showing on his file that he has to be returned to us after completion of his fed time for the pending offense here.

Or Judge, if you have a particular charge you want me to issue a capias under and place a new detainer, please advise. Also, do I just continue this until next misdemeanor appeal day for a status review?

Thanks,

Jeanie Nunn

Certified Master Chief Deputy Clerk

Martinsville Circuit Court

P O Box 1206

Martinsville, VA 24114

EXHIBIT 7 proves one thing, Glen Andrew Hall of the Commonwealth's Attorney didn't care that Defendant was in Butner, North Carolina in federal custody, so how could he appear on January 28??? Mr. Hall was already ready to push a failure to appear charge knowing that the Defendant couldn't possibly appear because of Butner, North Carolina being a federal prison where Defendant had been detained at the time. Andrew Hall didn't care that the Defendant didn't willfully fail to appear, he demanded a capias and Judge Greer agreed with Mr. Hall even though Defendant had a good reason for not appearing, and the Sheriff's office of Martinsville knew the Feds picked up the Defendant, so Andy Hall had

pushed for a false charge of possibly “failure to appear” against the Defendant, a capias based on false pretenses. A charged crime has to be proven willful and without a valid excuses or good reason. Maybe Defendant is misunderstanding what the capias was about. However, the Defendant was in federal custody at the time of the hearing on January 28, 2019.

Yet the Commonwealth Attorney deliberately covered up evidence and didn’t do their due diligence to preserve the body-camera footage after multiple court orders already. They didn’t comply with three court orders and didn’t have to make any excuses either, they just simply got away with it. When multiple court orders are not being followed, that is a repeated behavior, a repeated pattern of non-compliance. That is willful. Not a criminal defendant who was forcefully incarcerated by the Feds and taken to Butner, NC. He didn’t appear because he was in federal prison and was taken away by the Feds. Now Andrew Hall aka Andy Hall made no excuse or good reason why he never complied with a single court order being highlighted by the Defendant as to the issues of fraud on the court.

It violates the equal protection of the law, doesn’t follow equal application of the law. See the Fourteenth Amendment of the U.S. Constitution.

CITATION OF AMENDMENT XIV, U.S. Constitution:

Section 1 Rights: All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the

privileges or immunities of citizens of the United States; **nor shall any State deprive any person of life, liberty, or property, without due process of law**; **nor deny to any person within its jurisdiction the equal protection of the laws**.

Defendant had been deprived of equal protection of the laws by having any court orders enforced upon him but not against the Commonwealth's Attorney Glen Andrew Hall. If this Court refuses to hold a contemnor accountable such as Glen Andrew Hall, then this violates the Fourteenth Amendment of the U.S. Constitution's requirement of equal protection of the laws. The law applies to both sides of a case, the rules apply to all sides within a case, and the court orders are supposed to be complied with by all sides of a case. That is the law. Is Glen Andrew Hall allowed to ignore court orders and violate them as much as he wishes???

Judge Greer of this Honorable Court must understand that this sets a very dangerous precedent which will be further explained in **Element 6**.

For the sake of brevity, Defendant will not reiterate all of the text from every other element regarding the evidence and arguments referenced and cited from all other elements. Defendant hereby incorporates by reference, as if fully set forth herein, all of the Element 1, Element 2, Element 3, Element 4, and Element 6 evidence, arguments, and citations.

Element 5 has been satisfied.

Element 6: Denying the Motion and not holding any attorney/lawyer accountable for non-compliance with court orders and conflicts of interests sets a very dangerous precedent never usually seen before in appellate case law where a party or attorney for a party doesn't have to comply with any court orders. Makes court orders useless and ineffective when they can be disobeyed. Sets the precedent in the future where Glen Andrew Hall the Commonwealth's Attorney can destroy any evidence they want to even after court orders asking for it. They can destroy any evidence and violate any court order without any consequence. This promotes anarchy and promotes becoming a law onto himself. Opens the door for possibly vigilante justice and makes the law no longer enforceable.

Denying the Motion filed on January 26, 2023, and refusing to hold Glen Andrew Hall accountable at all for disobeying court orders. I am referring to Glen Andrew Hall ignoring court orders after being served with those court orders, and destroying evidence in response to court orders. If Glen Andrew Hall is never held accountable in any way, shape, or form by this Court, then this creates the issue that this Court is not impartial, is biased, and appears to be colluding with Glen Andrew Hall the contemnor, and the contempt is allowed because it is Glen Andrew Hall willfully disobeying multiple court orders. It sets a very dangerous precedent never before supposed to be seen in a court of law, never supposed to be heard before in a court of law. At least it shouldn't be according to case law.

Calamos v. Commonwealth, 184 Va. 397, (Va. 1945) ("1. CONTEMPT — Disobedience of Decree — Persons Not Parties — Ignorance of Decree. — In order to punish a person for contempt of court for violation of an order, judgment, or

decree, it must appear that such order, judgment, or decree has been personally served on the one charged, or that he has had actual notice of the making of such order or rendition of such judgment or decree. 2. CONTEMPT — Disobedience of Decree — Persons Not Parties — Ignorance of Decree — Decree of Injunction Operating in Rem. — Where a decree of injunction operates in rem against an illegal use of specific real property, there is an exception to the rule that, in order to punish a person for contempt of court for violation of an order, judgment, or decree, it must appear that such order, judgment, or decree has been personally served on the one charged, or that he has had actual notice of the making of such order or rendition of such judgment or decree.") Glen Andrew Hall is an officer of the Court and he was served with every order of the Court unless the Court notes that service was not made on the Commonwealth's Attorney Glen Andrew Hall.

Unger v. Commonwealth, Record No. 2196-14-2, 3-4 (Va. Ct. App. Dec. 22, 2015) ("The common law defines contempt and establishes the inherent power of courts to punish it. E.g., Parham v. Commonwealth, 60 Va. App. 450, 456-57, 729 S.E.2d 734, 736-37 (2012). Nevertheless, the General Assembly is authorized to regulate the courts' exercise of that power. Va. Const. art. IV, § 14. This legal framework is affected by constitutional due process doctrine that recognizes two forms of criminal contempt—direct and indirect. See, e.g., Scialdone v. Commonwealth, 279 Va. 422, 442-43, 689 S.E.2d 716, 727-28 (2010)."). Unger v.

Commonwealth, Record No. 2196-14-2, 4 (Va. Ct. App. Dec. 22, 2015) ("Constitutional principles further instruct that contempt is indirect, by contrast, "[i]f some essential elements of the offense are not personally observed by the judge, so that he must depend upon statements made by others." Id. at 443-44, 689 S.E.2d at 728 (quoting Oliver, 333 U.S. at 275). In the case of indirect contempt, the accused must be advised of the charges against her, be afforded the right to legal representation, and "have a chance to testify and call other witnesses in [her] behalf." Id. at 443, 689 S.E.2d at 728 (quoting Oliver, 333 U.S. at 275). Indirect contempt proceedings generally also include the right to cross-examine adverse witnesses, although this right derives from due process rather than from the Confrontation Clause. See Gilman v. Commonwealth, 275 Va. 222, 228, 657 S.E.2d 474, 476 (2008) (citing U.S. Const. amend. VI); Parham, 60 Va. App. at 458, 729 S.E.2d at 737."). Estate of Hackler v. Hackler, 44 Va. App. 51, 64 (Va. Ct. App. 2004) ("A court may find a party in contempt for "[d]isobedience or resistance . . . to any lawful process, judgment, decree or order of the court." Code § 18.2-456(5). The power to punish for contempt is inherent in, and as ancient as, courts themselves. It is essential to the proper administration of the law, to enable courts to enforce their orders, judgments and decrees, and to preserve the confidence and respect of the people without which the rights of the people cannot be maintained and enforced. Carter v. Commonwealth, 2 Va.App. 392, 395, 345 S.E.2d 5, 7

(1986) (citations omitted). See also Va. Const. art. IV, § 14; Gompers v. Buck's Stove Range Co., 221 U.S. 418, 450, 31 S.Ct. 492, 501, 55 L.Ed. 797 (1911); Nicholas v. Commonwealth, 186 Va. 315, 321, 42 S.E.2d 306, 309 (1947); Forbes v. State Council of Va., 107 Va. 853, 856, 60 S.E. 81, 82 (1908); Yoder v. Commonwealth, 107 Va. 823, 828-29, 57 S.E. 581, 585 (1907); Carter v. Commonwealth, 96 Va. 791, 807-08, 32 S.E. 780, 782 (1899); Wells v. Commonwealth, 62 Va. (21 Gratt.) 500, 503 (1871); Wilson v. Commonwealth, 23 Va.App. 318, 322, 477 S.E.2d 7, 8-9 (1996). Upon a finding of contempt, a trial judge has discretionary power to enforce decrees of the court. Code § 18.2-456.")

It is a DUTY for his Court to enforce its own orders and decrees once the Court and the Commonwealth Attorney who represents the Plaintiffs is given proof of the Commonwealth's own contempt of court including non-compliance of the court orders including any evidence proving non-compliance.

Defendant had proven this. Scott Albrecht colluded with Glen Andrew Hall because he loses criminal defendants' cases and then he is rewarded by being hired as an Assistant Commonwealth's Attorney. See **Element 4**. If he is not a good trial attorney when faced with Glen Andrew Hall as opposing counsel at trial, then why was he hired as an Assistant Commonwealth's Attorney??? It appears to me that there was collusion. Collusion would mean the issues where the court orders will

never be compelled to be enforced by Scott Albrecht. The only person who can push for this is the Defendant himself on a pro se basis.

Defendant has no legal counsel at this time to prevent him from seeking justice against Glen Andrew Hall the contemnor; Defendant is not getting blocked by his own supposed defense attorney from asking this Court to enforce its own orders as required by law and the U.S. Constitution's equal protections of the law. His court appointed counsel cannot stop him from doing the right thing. His court appointed counsel at one time was Scott Albrecht who is now the Assistant Commonwealth's Attorney in conflict of interest. The Defendant's hands are no longer tied here.

If arguably this Court does not reconsider denying the Defendant's motion and does nothing about the contemnor Glen Andrew Hall, then this sets a new dangerous precedent in contradiction with authorities of the U.S. Supreme Court, Supreme Court of Virginia and Court of Appeals of Virginia, and binding case law precedent nationwide. This opens the door for law to be openly violated by not just Glen Andrew Hall, Esquire, but any attorney of the Commonwealth of Virginia can ignore court orders, and refuse to comply with court orders.

I remind the Honorable Judge Greer that: Olmstead v. United States, 277 U.S. 438, 485 (1928) ("Crime is contagious. If the Government becomes a lawbreaker, it breeds contempt for law; it invites every man to become a law unto

himself; it invites anarchy.”). This Court needs to enforce its court orders when evidence proves non-compliance with multiple court orders, or it is inviting anarchy and vigilantism. It invites every man to become a law unto himself. The law no longer holds water in a cup if the cup is broken and is not fixed. The judicial machinery is broken down.

This also allows egregious violations of law and court orders. Glen Andrew Hall knows that Defendant is on federal supervised release by the U.S. probation office. That means the destruction of evidence doesn’t just violate the court orders, it also violates federal law. It is obstruction of justice under U.S. federal law. See 18 U.S.C. § 1519 (“Whoever knowingly alters, destroys, mutilates, conceals, covers up, falsifies, or makes a false entry in any record, document, or tangible object with the intent to impede, obstruct, or influence the investigation or proper administration of any matter within the jurisdiction of any department or agency of the United States or any case filed under title 11, or in relation to or contemplation of any such matter or case, shall be fined under this title, imprisoned not more than 20 years, or both.”). The United States Probation Office is a law enforcement agency of the United States District Court. Glen Andrew Hall had also obstructed justice under 18 U.S.C. § 1519. Defendant wants all cards on the table now. Time for the mind games in the legal system to end. Defendant had proven fraud on the court, non-compliance with court orders, unlawful deletion of evidence, and had

proven collusion between Scott Albrecht and Glen Andrew Hall by Scott Albrecht joining the prosecuting attorney team after losing Brian's case in General District Court, and after evidence was permanently deleted.

Defendant will appeal every wrongful decision by this Honorable Court to ensure that every order is done the right way. This is a Court of Law, not a Court of Man.

Arguably, Glen Andrew Hall is being allowed to openly and freely destroy any tangible object and any evidence he solely wishes. Arguably, he can destroy a police report. Arguably, he can shred reports from police or anybody, and he can shred court orders. He can do whatever he wants if this Court takes no action on the court orders which had been not complied with.

The consequences which will be set if this Honorable Court does not reconsider its decision denying the Defendant's motion:

1. Glen Andrew Hall the Commonwealth Attorney will be allowed to deceive the judges, deceive the defendant and deceive the defendant's attorney throughout the entire criminal prosecution of a case;
2. Glen Andrew Hall the Commonwealth Attorney will be allowed to destroy evidence at any time even after the Court orders for discovery evidence to be turned over to the defendant's counsel as to any tangible evidence within that court order's scope;

3. Glen Andrew Hall the Commonwealth Attorney will be allowed to destroy evidence favorable to the Defendant then deceive the judges and jury to convict the Defendant or compel the Defendant to file a motion to withdraw appeal while deceiving the Defendant and the Court;
4. Glen Andrew Hall the Commonwealth Attorney will be allowed to not comply with any Court Order they wish, and no law will ever be enforceable on him/her. No Court Order has to be followed as long as it is an attorney of the Commonwealth. No law or court order means anything when it doesn't have to be followed. Anything the judge says in a court order will not work out because it doesn't have to be followed. It wastes a Court's time to even enter a court order since Glen Andrew Hall or any Commonwealth Attorney can choose to ignore the court order at his/her whim.

This sets very dangerous precedent and represents a lawless and broken judicial machinery. A lawless judicial machinery is Unconstitutional and violates every authority and case law as far as the Supreme Court of Virginia and U.S. Supreme Court. It becomes a lawless Court, not a court of law but a Court where you can choose not to follow a court order if you wish. The Fourteenth Amendment of the U.S. Constitution requires either that the law applies to everybody or applies

to nobody. Either Glen Andrew Hall has to comply with every court order or the Court should rule that the Defendant should not be required to follow court orders as well, just like the Commonwealth Attorney or it is not a fair process, it is not due process of law. If I follow the example of Glen Andrew Hall, I would be charged with contempt of court, but why??? He doesn't have to follow Court Orders, right??? The argument is simple, the law applies to everybody or it applies to nobody.

We are not under the British Crown; we are not a society of two classes such as the class of nobles and the class of non-nobles. Attorneys are not nobles, where the law doesn't apply to them but only non-nobility. That's partially what led to the American Revolution of 1776, "Give me Liberty or Give me Death" speech by Governor Patrick Henry at the Saint John's Church in Richmond, Virginia. What partially led to the American revolution was nobles being allowed to break laws and didn't have to comply with the very same laws as that of the citizens, the Crown allowed a two-tiered justice system. Taxation without representation is theft. The Circuit Court is not supposed to be a two-tiered justice system, under the Fourteenth Amendment. Court Orders have to be complied with by all parties to a case, that is the law, and that is the U.S. Constitution. See Olmstead v. United States, 277 U.S. 438, 485 (1928) ("Decency, security and liberty alike demand that government officials shall be subjected to the same rules of conduct that are

commands to the citizen. In a government of laws, existence of the government will be imperilled if it fails to observe the law scrupulously. Our Government is the potent, the omnipresent teacher. For good or for ill, it teaches the whole people by its example.").

Judge Greer, please understand that the law should apply to everybody.

For theoretical arguments sake, Will you let Glen Andrew Hall smoke illegal drugs in front of the Courthouse steps if he theoretically did so??? (Disclaimer: he is not but making an argument here).

For theoretical arguments sake, Will you let Glen Andrew Hall illegally gamble in the Municipal Building if he theoretically did so??? (Disclaimer: he is not but making an argument here).

For theoretical arguments sake, Will you let Glen Andrew Hall start an office fire to destroy records and evidence if he theoretically did so??? (Disclaimer: he is not but making an argument here).

I can ask this Court all day along an example of theoretical crimes Glen Andrew Hall could be allowed to commit and he can act as though court orders are funny paper or monopoly money. It no longer becomes a court of law if the law doesn't even have to be followed. It is a contradiction onto itself.

Judge Greer must reconsider This Honorable Court's decision denying the Defendant's motion and take some kind of action, any at all to protect the judicial machinery from breaking down. It is broken right now until it can be fixed.

For the sake of brevity, Defendant will not reiterate all of the text from every other element regarding the evidence and arguments referenced and cited from all other elements. Defendant hereby incorporates by reference, as if fully set forth herein, all of the Element 1, Element 2, Element 3, Element 4, and Element 5 evidence, arguments, and citations.

Element 6 has been satisfied.

LEGAL ARGUMENTS

It is clear as matter of law that all six Elements in the ADDITIONAL STATEMENT OF THE FACTS warrant reconsideration of the Motion being denied because of the issue that there does exist a severe case of fraud upon the Court and deception, by the Plaintiffs and with the collusion of or of inaction by any of the defense attorneys including Scott Albrecht who is now the Assistant Commonwealth's Attorney, allowing the frauds and non-compliance issues and evidence destruction to have taken place. Relief is clearly warranted here and so this Honorable Court should vacate its decision denying the Defendant's Motion or reconsider its decision denying the Defendant's Motion. That is because the

requested relief is well founded as both a matter of fact and as a matter of law under the statutory remedies set by Virginia Code § 8.01-428(D), Virginia Code § 8.01-428(A) and Virginia Code § 8.01-428(B).

This Court has a duty to conduct an inquiry as to the issues of Attorney Scott Albrecht being an Assistant to Glen Andrew Hall, which is a conflict of interest in this criminal case. Albrecht should recuse himself from any participation in the foregoing criminal case. Even if Albrecht doesn't have the case files of who he formerly had as a client, he had the knowledge of what he had discussed with his client. It is a conflict of interest for a reason. We have conflict checks for a reason. It is an unusual situation for the Public Defender in a criminal case representing a client to then he hired as the prosecutor over that very same case. Ethics requires inquiry from this Honorable Court.

Also, the destruction of evidence of the body-camera footage was not accidental but was deliberate and here is why.

In the answers to Defendant's FOIA request, Police Chief Rob Fincher admitted that it was policy that there is a retention period for evidence before it was destroyed unless litigation had begun either a civil case or criminal case involving the incident which involved the usage of the evidence which would be the body-camera footage. Police Chief Rob Fincher admitted the evidence exists in regard to the Defendant's arrest, and admitted that it was not marked as evidence therefore

was deleted as routine body-camera footage by the server which held the body-camera and car-camera footage. See **RECONSIDERATION EXHIBIT PAGE 1-4 OF 48**, **EXHIBIT 1**. The first safety valve to prevent spoliation of that evidence was Officer Robert Jones the charging officer or Martinsville Police Department itself. That safety valve had failed. The second safety valve to prevent spoliation of that evidence was Commonwealth's Attorney Glen Andrew Hall who had prosecuted the criminal charge. That safety valve had failed. The third safety valve to prevent spoliation of that evidence was Attorney Scott Albrecht who could have easily informed the Court that its court order was not being complied with. Albrecht could have asked to compel enforcement of its discovery order. Attorney Scott Albrecht could have filed a litigation hold letter asking for preservation of evidence or even could have filed a subpoena or ask the Court to issue a subpoena (subpoena duces tecum). That safety valve had failed. The fourth and last safety valve was the pro se letters between Brian D. Hill and former Police Chief G. E. Cassady to try to obtain a copy of; or preserve evidence. That safety valve had failed since the former Police Chief had ignored all of the Defendant's letters. All safety valves to prevent spoliation of material evidence had failed. This is clearly no error or mistake. This was deliberate.

That evidence was material because it was body-camera footage recorded around the time of Defendant's arrest and prior to his arrest. Multiple courts had ordered this footage because it was within the scope of those court orders.

This exculpatory evidence would have proven Defendant was intoxicated since the hospital record had already proven tachycardia two different times before the Defendant was erroneously released from the hospital. The Commonwealth Attorney can never disprove Defendant's claim of intoxication since the hospital deleted the ordered lab tests from Defendant's medical chart after drawing blood. So, drawing such reasonable inference is not out of the question.

Also, then there was the issue that Attorney Scott Albrecht who was the Defendant's counsel had remained as counsel until months after the destruction of the body-camera footage. Then years later he joins the Commonwealth Attorney to work for the very same prosecutor Glen Andrew Hall who he was supposed to defend his client against in a court of law. His court appointed counsel was solely responsible for not fighting to preserve the body-camera footage already within the scope of two court orders. If the Defendant had filed anything pro se it is usually ignored by the Circuit Court because the Court would ignore every pro se filing except only what his attorney files. The Defendant has the right to fight the fraud on the court even though the Court could argue that only his attorney could fight such fraud, but that makes no sense when the attorney colluded with the

Commonwealth's Attorney Glen Andrew Hall to destroy body-camera footage. The end result is Scott Albrecht is hired by Glen Andrew Hall as Assistant Commonwealth's Attorney. He got rewarded for all of the clients he screwed over and had them lose their trials. This is really bad fraud, severe fraud, that under the circumstances it is extrinsic fraud because of the circumstances. If Defendant filed any claim at all or any evidence, it would be ignored unless the Court accepted him proceeding pro se. Defendant was deceived because he didn't know about the court orders until after he was convicted. It all gives reasonable inferences to the fact that he had faced a rigged trial and was going to face a rigged jury trial. Evidence was destroyed, the destroyed evidence which would have had him acquitted. The ordered lab tests would have shown intoxication at the time Defendant was naked outdoors. The body-camera footage would have shown indication of intoxication. Evidence which would have caused the Defendant to have been found not guilty was all deleted and destroyed. That is fraud, that is deception, that is a rigged judicial process. A Court Trial is rigged when only one side presents evidence against you but destroys evidence which may create a different verdict when there were only two verdicts, guilty and not guilty, a conviction or acquittal.

Without an inquiry from this Court there are conflicts of interest issues not being resolved here. Without an inquiry from this Court due process of law had been permanently deprived here for the Defendant in this criminal case.

Also, no court of law can ignore evidence if it is admissible under the Rules of Evidence, as ignoring admissible evidence is a deprivation of due process of law.

Broam v. Bogan, 320 F.3d 1023, 1032 (9th Cir. 2003) (“An officer is not entitled to a qualified immunity defense, however, where exculpatory evidence is ignored that would negate a finding of probable cause. Kuehl v. Burtis, 173 F.3d 646, 651 (8th Cir. 1999).”). Bell v. U.S., 521 F. Supp. 2d 462, 464 (D. Md. 2007) (“An order is void under Rule 60(b)(4) "only if the court rendering the decision lacks personal or subject matter jurisdiction or acted in a manner inconsistent with due process of law." Wendt, 431 F.3d at 412; see also Eberhardt v. Integrated Design Constr., Inc., 167 F.3d 861, 871 (4th Cir. 1999). Courts narrowly construe the concept of a "void" order because it threatens the finality of judgments. Wendt, 431 F.3d at 413. "Only in the rare instance of a clear usurpation of power will a judgment be rendered void." In re Bulldog Trucking, Inc., 147 F.3d 347, 352 (4th Cir. 1998) (quoting Lubben v. Selective Serv. Sys. Local Bd. No. 27, 453 F.2d 645, 649 (1st Cir. 1972)).”)

EXHIBITS LIST

EXHIBITS #	EXHIBIT PAGES #	DESCRIPTION
EXHIBIT 1	1-4	Printout of email to Roberta Hill at rbhill67@comcast.net, From: Kendall Davis kdavis@ci.martinsville.va.us; Date: 2/13/2023, 3:01 PM; Subject:

		Re: Status of FOIA Request of Brian David Hill?
EXHIBIT 2	5-8	Digital Copy of Letter from Kendall Davis, Public Information Officer, City of Martinsville, Dated: February 10, 2023
EXHIBIT 3	9-13	Printout of email to Roberta Hill at rbhill67@comcast.net, From: ROBERTA HILL rbhill67@comcast.net; Date: 2/13/2023, 3:37 PM; Subject: Fwd: Status of FOIA Request of Brian David Hill?; To: "Hon. Jean P. Nunn, Clerk of the Court" <jnunn@ci.martinsville.va.us> CC: Martinsville City Commonwealth's A□orney <ahall@ci.martinsville.va.us>, "stanleybolten@justiceforuswgo.nl" <StanleyBolten@justiceforuswgo.nl>, "kenstella2005@comcast.net" <kenstella2005@comcast.net>, Ken & Stella Forinash <kenstella@comcast.net>, "Hon. Giles Carter Greer (Judge)" <cgreer@ci.martinsville.va.us>
EXHIBIT 4	14-28	STATUS LETTER TO HONORABLE GILES CARTER GREER (JUDGE); CLERK OF MARTINSVILLE CIRCUIT COURT, Date: Tuesday, February 14, 2023
EXHIBIT 5	29-42	DECLARATION OF BRIAN DAVID HILL OF NEW EVIDENCE CONCERNING PUBLIC DEFENDER ASSISTANT SCOTT ALBRECHT IN SUPPORT OF MOTION FOR SET ASIDE OR RELIEVE DEFENDANT OF JUDGMENT OF CONVICTION OF

		CRIMINAL CHARGE PURSUANT TO VIRGINIA CODE § 8.01-428(D), VIRGINIA CODE § 8.01-428(A) AND VIRGINIA CODE § 8.01-428(B) ON THE BASIS OF FRAUD UPON THE COURT, CLERICAL FACTUAL ERRORS; "Respectfully filed/submitted with the Court, This the 13th day of February, 2023."
EXHIBIT 6	43-46	SHORT SUMMARY OF WHAT WAS PROVEN AS TO FRAUD ON THE COURT Prepared by Stella Forinash, edited and modified by Brian David Hill Case no. CR19000009-00, For Martinsville Circuit Court; Date: February 14, 2023
EXHIBIT 7	47-48	Printout of Email record originally held by Attorney Scott Albrecht, Email involving Jeanie Nunn, Nancy Sherman, Scott Albrecht, Andy Hall, and Judge Greer. Printout from case files given to Defendant from Attorney Matthew Scott Thomas Clark.

48 pages total, ATTACHMENT EVIDENCE EXHIBIT INDEX PAGES

REQUEST FOR COURT TO PROVIDE EQUITABLE RELIEF AND ANY OTHER RELIEF

Therefore, the Defendant prays that this Honorable Court order the following:

1. That the Circuit Court vacate or set aside its February 14th 2023 Order denying the Defendant's "MOTION FOR SET ASIDE OR RELIEVE DEFENDANT OF JUDGMENT OF CONVICTION OF CRIMINAL CHARGE PURSUANT TO

VIRGINIA CODE § 8.01-428(D), VIRGINIA CODE § 8.01-428(A) AND VIRGINIA CODE § 8.01-428(B) ON THE BASIS OF FRAUD UPON THE COURT, CLERICAL FACTUAL ERRORS";

2. That the Circuit Court reconsider its February 14th 2023 Order denying the Defendant's "MOTION FOR SET ASIDE OR RELIEVE DEFENDANT OF JUDGMENT OF CONVICTION OF CRIMINAL CHARGE PURSUANT TO VIRGINIA CODE § 8.01-428(D), VIRGINIA CODE § 8.01-428(A) AND VIRGINIA CODE § 8.01-428(B) ON THE BASIS OF FRAUD UPON THE COURT, CLERICAL FACTUAL ERRORS";
3. That the Circuit Court investigate, then declare or make a factual finding that the Plaintiffs had defrauded the Court (made such a Fraud Upon the Court) based on three fraudulent or erroneous elements (medically cleared, intent, obscenity) of the criminal charge on September 21, 2018 which means that the Circuit Court can make a determination whether one to three elements in the original criminal prosecution are to be considered meritless, frivolous, baseless, and without clear and convincing evidence to support that even in light most favorable to the Commonwealth, the evidence is insufficient to sustain a conviction;
4. That the Circuit Court consider ordering based upon Section 8.01-428(D) and Section 8.01-428(B) that the Judgment on November 18, 2019 be vacated, or

voided, or made void, or set aside or be adjudged as acquitted with case dismissal with prejudice;

5. That the Circuit Court consider the evidence submitted by Defendant in support of this motion to be sufficient for the relief requested in this motion, or order an evidentiary hearing to question Robert Jones over the matter of Defendant not being medically and psychologically cleared as previous assumed because of being neglected by being prematurely released from the hospital;
6. That the Circuit Court consider the evidence submitted by Defendant in support of this motion to be sufficient for the relief requested in this motion, or order an evidentiary hearing to question Robert Jones over the matter of Defendant not being obscene as charged by the officer in the ARREST WARRANT;
7. That the Circuit Court consider vacatur, voiding, making void, setting aside, nullification of, or modification of the wrongful conviction dated November 18, 2019 (**EXHIBIT PAGE 2-4 OF 337**), and consider acquittal and dismissal of the entire criminal action case with prejudice;
8. That the Circuit Court waive and discharge any and all pending legal fees ever taxed, levied, or ordered against Defendant if the Circuit Court had determined that Defendant was fraudulently and/or erroneously prosecuted against and thus should not be held to pay any fees or fines or any protected SSI disability money since Defendant is innocent;

9. That the Circuit Court waive and discharge any and all pending legal fees ever owed by the Defendant pursuant to all legal matters and cases that had begun from the original charge and prosecution on September 21, 2018, if the Circuit Court had determined that Defendant is innocent because of the fraudulent elements by the Plaintiffs or erroneous elements by the Plaintiffs and thus should not be held to pay any fees or fines or any protected SSI disability money since Defendant is innocent;

10. That the Circuit Court consider providing any other relief or remedy that is just and proper, in the proper administration of justice and integrity for the Court.

Respectfully submitted with the Court, This the 17th day of February, 2023.

Brian D. Hill
Signed
Brian D. Hill

Brian D. Hill
Defendant
Former news reporter of U.S.W.G.O. Alternative News
Ally of Q
310 Forest Street, Apartment 2
Martinsville, Virginia 24112
(276) 790-3505
JusticeForUSWGO.NL or JusticeForUSWGO.wordpress.com

CERTIFICATE OF SERVICE, CERTIFICATE OF FILING

I hereby certify that a true and accurate copy of the foregoing Motion was faxed or emailed/transmitted by my Assistant Roberta Hill at rbhill67@comcast.net (due to Probation Conditions of not being allowed to use the Internet) to have delivered this (1) pleading, (2) along with pleading filename: RECONSIDERATION-EXHIBITS-2-16-2023.pdf on the 17th day of February, 2023, to the following parties:

1. Commonwealth of Virginia
2. City of Martinsville

Again, by having representative Roberta Hill filing this (1) pleading, (2) along with pleading filename: RECONSIDERATION-EXHIBITS-2-16-2023.pdf on his behalf with the Court, through email address rbhill67@comcast.net, transmit/faxed a copy of this pleading to the following attorneys who represent the above parties to the case:

Glen Andrew Hall, Esq. Commonwealth Attorney's Office for the City of Martinsville 55 West Church Street P.O. Box 1311 Martinsville, Virginia 24114/24112 Attorney for the Commonwealth Phone: (276) 403-5470 Fax: (276) 403-5478 Email: ahall@ci.martinsville.va.us	Hon. Jeanie P. Nunn, Clerk of the Court Circuit Court for the City of Martinsville Phone: 276-403-5106 Fax: 276-403-5232 55 West Church Street, Room 205 P.O. Box 1206 Martinsville, VA 24114 Email: jnunn@ci.martinsville.va.us

The reason why Brian David Hill must use such a representative to serve such pleading with the Clerk on his behalf is because Brian is currently still under the conditions of Supervised Release for the U.S. District Court barring internet usage

without permission. Brian's Probation Officer is aware of Roberta Hill using her email for conducting court business concerning Brian Hill or court business with the Probation Office in regards to Brian David Hill. Therefore Roberta Hill is filing the pleading on Brian's behalf for official court business. Brian has authorized her to file the pleading. All exhibits or any exhibits with anything printed from any internet based service was printed and researched by Roberta Hill.

That should satisfy the Certificate of Service regarding letters/pleadings during the ongoing Covid-19 pandemic. If the Court wishes to contact the filer over any issues or concerns, please feel free to contact the filer Brian David Hill directly by telephone or by mailing. They can also contact c / o Roberta Hill at rbhill67@comcast.net and request that she forward the message and any documents or attachments to Brian David Hill to view offline for his review.

Brian D. Hill
Signed

Brian D. Hill

Brian D. Hill
Defendant
Former news reporter of U.S.W.G.O. Alternative News
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